THE

Statutes at Large,

FROM THE

First Year of King HENRY V.

TO THE

[t]wenty-ſecond Year of King EDW. IV. incluſive.

To which is prefixed,

TABLE containing the TITLES of all the STATUTES during that Period.

VOL. III.

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CAMBRIDGE,
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CUM PRIVILEGIO.

TABLE of the STATUTES,

ning the Titles of all ſuch Acts as are extant in print, n the 1ſt year of K. HENRY V. to the 22d of EDWARD IV. both incluſive.

Anno 1 *Hen.* 5.

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Iriſhmen repairing

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Cap. 3. For the ſufficiency of jurors.

Cap. 4. Concerning goldſmiths, and gilding of ſilver ware.

Cap. 5. To prevent rebellions, felonies, &c. by *Welchmen*.

Cap. 6. Concerning exportation of merchandiſes of the ſtaple.

Anno 3 *Hen.* 5. *ſtat.* 1.

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Anno 3 *Hen.* 5. *ſtat.* 2.

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Anno 5 *Hen.* 5.

Abbots and others may make their attornies until the next parliament.

Anno 7 *Hen.* 5.

Againſt indicting men in the county of *Lancaſter*, for offences in a place where there is none ſuch, and againſt makers, &c. of falſe deeds.

Anno 8 *Hen.* 5.

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Anno 9 *Hen.* 5 *ſtat.* 1.

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Cap. 4. Concerning amer records or proceſs after ju
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Cap. 6. Concerning the coinage at *Calais*.
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Cap. 11. No *Engliſh* gold ceived in payment b King's weight.
Cap. 12. Concerning *Roch*

Anno 9 *Hen.* 5. *ſtat.*

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Cap. 3. For payment o ney at the King's exch
Cap. 4. For bringing the ceived for the exchan Tower.
Cap. 5. Concerning the *lais*.
Cap. 6. For good allay an money.
Cap. 7. For the weight o ney.
Cap. 8. Againſt counter makers of falſe weights
Cap. 9. Concerning exch court of *Rome*.
Cap. 10. For relief of c diſmes and quinziſmes
Cap. 11. For repair of c and bridges about *Abing*

Anno 1 *Henry* 6.

Cap. 1. The King's coun ſign money to be coined places as they will.

2. For proclamations of the ſtatutes of purveyors.
...p. 3. What *Iriſhmen* may reſort to *England*.
Cap. 4. Concerning the mint and exchanges.
... 5. For the wages of thoſe who ſerved the late King in his wars and for redemption of the jewels mortgaged by him.
Cap. 6. For revival of the ſtatute of the 9 *Hen.* 5. c. 9. concerning exchanges to the court of *Rome*.

Anno 2 *Hen.* 6.

1. A confirmation of the liberties of the church and of all cities, boroughs, &c.
2. concerning the rights of the hoſpital of St. *Leonard* in *York*.
... 3. That *John* duke of *Bedford* being in the King's ſervice in *France*, ſhall be received to defend his right by attorney.
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... 6. Againſt exportation of gold and ſilver.
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Concerning the reverſal of outlawries againſt perſons in the King's ſervice.
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...ap. 11. For the ſeveral meaſures of veſſels of wine, fiſh, &c.
Cap. 12. Concerning the duty of the officers of the mint.
Cap. 13. Concerning the price of ſilver plate and for increaſe of white money.
Cap. 14. Concerning the fineneſs and marks of harneſs of ſilver.
For puniſhment of labourers, &c. taking unreaſonable wages.
Cap. 15. Againſt nets and engines in the *Thames* and other rivers.
Cap. 16. A remedy for reverſioners where the particular tenants have loſt by default.
Cap. 17. Perſons indicted of high treaſon, eſcaping out of priſon, ſhall be adjudged traitors.

Anno 3 *Hen.* 6.

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Cap. 2. Againſt the exporting of ſheep.
Cap. 3. Againſt concealing of the King's cuſtoms.
Cap. 4. Concerning the tranſportation of butter and cheeſe.
Cap. 5 Concerning the river *Ley*, running from *Ware* to *Thames*.

Anno 4 *Hen.* 6.

Cap. 1. Concerning the duty of ſheriffs and for the returning of writs.
Cap. 2. For protections of ſuch as ſerved in the King's wars in *France*.
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Cap. 4. Againſt abatement of proceſſes againſt certain that were late made knights.
Cap. 5. Concerning the exportation of corn.

Anno 6 *Hen.* 6.

Cap. 1. Concerning proceſs on indictments in the King's bench.
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Cap. 3. Concerning the wages of labourers, &c. and penalty for taking more.
Cap. 4. Concerning the election of knights, &c. of the parliament.
Cap. 5. For commiſſions of ſewers.

Cap. 6. For ſhipping merchandiſe from *Melcomb* haven to *Calais*.

Anno 8 *Hen.* 6.

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Cap. 2. Concerning the ſtaple of *Denmark*.
Cap. 3. Concerning ſewers.
Cap. 4. Againſt giving liveries and retainers.
Cap. 5. For a common balance and weight to be in every city, &c. and againſt the buying of woolen yarn.
Cap. 6. Againſt caſting threatning bills into houſes.
Cap. 7. Concerning the election of knights of the parliament.
Cap. 8. Concerning the wages of labourers, &c.
Cap. 9. Againſt forcible entries.
Cap. 10. Concerning proceſs upon indictments and appeals againſt perſons dwelling in foreign counties.
Cap. 11. Concerning apprentices taken by the citizens of *London*.
Cap. 12. For amendments and againſt embezzeling of records.
Cap. 13. Concerning protections for thoſe that ſhall go with the King into *France*.
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Cap. 15. For amendment of records and proceſſes.
Cap. 16. Concerning inquiſitions taken by eſcheators.
Cap. 17. Concerning the ſtaple at *Calais*.
Cap. 18. Concerning the price of ſtaple goods and the mint at *Calais*.
Cap. 19. Againſt clandeſtine exportation of merchandiſes.
Cap. 20. Concerning inhabitants of *Calais* buying ſtaple goods.
Cap. 21. Repeal of licences for ſhipping goods to other places than *Calais*.
Cap. 22. Againſt forcing, clacking, or bearing of wools.
Cap. 23. Againſt the exportation o woolen thrums.
Cap. 24. Againſt payments in gold made to merchants aliens.
Cap. 25. That the mayor of the ſtaple ſhall continue two years in his office.
Cap. 26. Againſt defendants making default in aſſiſes, &c. to put any mayors, lords, &c. from their juriſdiction.
Cap. 27. For the free navigation o the *Severn* by the inhabitants of *Tewksbury*.
Cap. 28. For erecting two bridges over the waters of *Burford* and *Culhamford* in the county of *Oxford*.
Cap. 29. For inqueſts *de medietate linguæ* where an alien is party.

Anno 9 *Hen.* 6.

Cap. 1. For the adjournment of aſſiſes and *Niſi prius* during the parliament.
Cap. 2. That *Engliſh* merchants may ſell to aliens, giving them only ſix months credit.
Cap. 3. A confirmation of the attainder of *Owen Glendower*.
Cap. 4. That executors, &c. ſhal maintain an *Idemptitate nominis*.
Cap. 5. For free navigation by al men in the river of *Severn*.
Cap. 6. Concerning the right o weighing of the borough of *Dorcheſter*.
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Cap. 8. The weight of a wey o cheeſe.
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Anno 10 *Hen.* 6.

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ap. 2. Concerning the electors of the knights of the parliament.
ap 3. For repriſal of goods taken by the ſubjects of *Denmark*.
ap. 4. Againſt any falſe entry of appearances by philizers or other officers.
ap. 5. Concerning the maintenance of certain places about *Calais*.
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ap. 7. Againſt carrying ſtaple merchandiſes to other places than to *Calais*.

Anno 10 *Hen.* 6. *ſtat.* 2.

oncerning the wages of the King's judges, ſerjeants, &c.

Anno 11 *Hen.* 6.

ap. 1. Againſt the ſtewholders in *Southwark* being impanelled upon juries or keeping any inn or tavern but there.
ap. 2. Againſt naming of ſheriffs diſſeiſors in aſſiſe.
ap. 3. That an action, &c. ſhall be maintainable againſt the pernor of the profits.
ap. 4. The plaintiffs in attaint ſhall recover their coſts and damages.
ap. 5. That he in the reverſion may have waſte againſt the pernors of the profits.
ap. 6. No ſuit pending before any juſtices, &c. ſhall be diſcontinued by a new commiſſion.
ap. 7. A revival for three years, of the ſtatute of the 9 *Hen.* 6. c 7. againſt extortion by the ſheriffs of *Herefordſhire*.
ap. 8. A confirmation of all the ſtatutes for true weights and meaſures.
ap. 9. For the length and breadth of cloths called ſtreits.
ap. 10. He that ſues to an execution upon a ſtatute, ſhall find ſurety to ſatisfy both the King and the party.
Cap. 11. For puniſhment of aſſaults made on perſons coming to the parliament.
Cap. 12. Concerning wax chandlers.
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Cap. 15. For the diſcharge of merchants that have paid their cuſtom.
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Anno 14 *Hen.* 6.

Cap. 1. That juſtices of *Niſi prius* may give judgment where one is either attainted or acquitted.
Cap. 2. Concerning licences for ſhipping of wools, &c.
Cap. 3. For holding the aſſizes for the county of *Cumberland* at *Carliſle*.
Cap. 4. Juſtices of the peace in *Middleſex* may keep their ſeſſions but twice in the year.
Cap. 5. For the forfeiture of ſtaple merchandiſes ſhipped in creeks, &c.
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Cap. 8. For ſuſpending the ſtatute againſt breakers of truce, &c.

Anno 15 *Hen.* 6.

Cap. 1. Where in ſuit before the ſteward and marſhal of the King's houſe, the defendant may plead that the plaintiff or he are not of the King's houſe.
Cap. 2. Concerning the exportation of corn.
Cap. 3. Concerning ſafe conducts.
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defendant's coſts if he does not verify his bill.
Cap. 5. Concerning the ſufficiency of jurors returned in writs of attaint.
Cap. 6. Againſt unlawful orders made by guilds and other companies.
Cap. 7. That religious perſons may make attornies in certain courts, &c.
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Anno 18 *Hen.* 6.

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Cap. 2. They who have gavelkind lands to the yearly value of twenty pounds may be returned in attaints.
Cap. 3. For exportation of butter and cheeſe to other places than *Calais*.
Cap. 4. Againſt merchants aliens ſelling merchandiſes here to other merchants aliens, &c.
Cap. 5. Concerning collectors of diſmes and fifteens.
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Cap. 15. Againſt the carriage of wools to other places than to *Calais*.
Cap. 16. That there ſhall be but one meaſure of cloth through the realm.
Cap. 17. For gauging veſſels of wine, oil and honey.
Cap. 18. Againſt captains detaining any part of their ſoldiers wages.
Cap. 19. Againſt ſoldiers departing without licence from their captains.

Anno 20 *Hen.* 6.

Cap. 1. For the inrollment of ſafe conducts in the chancery.
Cap. 2. Concerning the forfeiture on outlawries in the county of *Lancaſter*.
Cap. 3. That robberies, &c. by the borderers in *Wales* ſhall be high treaſon.
Cap. 4. Concerning duties to be paid for carrying wools to any other place than the ſtaples.
Cap. 5. That no cuſtomer, comptroller, &c. ſhall have a ſhip of his own, uſe merchandiſe, keep a wharf or inn, or be a factor.
Cap. 6. Concerning the exportation of corn.
Cap. 7. For the forfeiture of goods brought from *Wales* into *England* and not cuſtomed.
Cap. 8. Againſt purveyors taking cattle to the value of forty ſhillings and not making preſent payment.
Cap. 9. The order of trial of counteſſes, &c. by their peers.
Cap. 10. Concerning the making of worſteds in *Norwich*.
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Anno 23 *Hen.* 6.

Cap. 1, & 2. Concerning purveyors.
Cap. 3. Concerning the exportation of woolen thrums.

Cap.

Cap. 4. Concerning the making of worſteds in *Norfolk*.
Cap. 5. For apprehending outlawed *Welſhmen* reforting into *Herefordſhire*.
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Cap. 15. Concerning election of knights, &c. for the parliament.
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Cap. 17. Concerning inqueſts taken by eſcheators and their fees.
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Anno 25 *Hen.* 6.

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Anno 27 *Hen.* 6.

Cap. 1. Reſtraint from importing the produce of *Brabant*, &c.
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Cap. 3. Againſt the exportation of gold or ſilver by merchants aliens.
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Cap. 5. Againſt holding fairs and markets upon *Sundays* and certain feſtival days.
Cap. 6. The King's pardon to the clergy.

Anno 28 *Hen.* 6.

Cap. 1. A confirmation of the reſtraint from importing the produce of *Brabant*, &c.
Cap. 2. Concerning purveyors.
Cap. 3. The King's pardon to ſheriffs, &c. for occupying their places above a year.
Cap. 4. Againſt *Welſhmen* and *Lancaſhiremen* taking goods or cattle under colour of diſtreſs.
Cap. 5. Againſt extortions, &c by officers of the cuſtoms.

Anno 29 *Hen.* 6.

Cap. 1. Attainder of *Jack Cade*.
Cap. 2. Againſt breakers of truces, ſafe conducts, &c.
Cap. 3. For repealing patents of exemption, &c. granted to citizens of *York*.

Anno 31 *Hen.* 6.

Cap. 1. Confirmation of the attainder of *Jack Cade*.
Cap. 2. Againſt rioters diſobeying privy ſeals and the King's proclamation.
Cap. 3. Concerning attachments made by the wardens of the marches towards *Scotland*.
Cap. 4. For remedy of thoſe who having a ſafe conduct, are robbed upon the ſea.
Cap. 5. That no cuſtomer, comptroller, aulnager, &c. ſhall have any eſtate certain in his office.
Cap. 6. Concerning forfeitures by thoſe who are outlawed in *Lancaſhire*.
Cap. 7. That rewards, &c. to the King's officers ſhall not be included in the ſtatute of reſumption.

Cap.

Cap. 8. Concerning a ſubſidy before granted to the King on wools, fells, and cloth exported.
Cap. 9. A remedy for women enforced to be bound by ſtatute or obligation.

Anno 33 *Hen.* 6.

Cap. 1. A remedy for executors againſt ſervants that embezzle their maſters goods after his death.
Cap. 2. A repeal of the ſtatute of the 31 *H.* 6. c. 6. concerning outlawries in *Lancaſhire*.
Cap. 3. Againſt extortions committed by officers of the exchequer.
Cap. 4. Concerning brewers in *Kent*.
Cap. 5. Againſt the importation of wrought ſilk belonging to the myſtery of ſilk women.
Cap. 6. Concerning the abbot of *Fountain* in *Yorkſhire*.
Cap. 7. Concerning the number of attornies in *Norfolk*, *Suffolk*, and *Norwich*.

Anno 39 *Henry* 6.

Cap. 1. A repeal of all the acts of the parliament held at *Coventry*, 20 *die Novembris*, *anno* 37 *H.* 6.
Cap. 2. That women of the age of 14 years, at the death of their anceſtors, ſhall have livery of their lands.

Anno 1 *Edw.* 4.

Cap. 1. What acts done by King *Henry* IV. K. *Henry* V. and K. *Henry* VI. ſhall continue good, and what not.
Cap. 2. Concerning proceſs upon indictments and preſentments in ſheriffs tourns.

Anno 3 *Edw.* 4.

Cap. 1. Concerning the exportation of wools, fells, ſhorlings, &c.
Cap. 2. Againſt the importation of corn until it ſhall exceed certain prices.
Cap. 3. Againſt the importation of wrought ſilk, concerning the myſtery of ſilk-workers.
Cap. 4. Againſt the importation of certain merchandiſes ready wrought.
Cap. 5. Concerning apparel.

Anno 4 *Edw.* 4.

Cap. 1. Concerning the length and breadth of cloths, and againſt the importation of cloths wrought beyond ſea.
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Cap. 3. Concerning the exportation of merchandiſes of the ſtaple from *Newcaſtle* to *Calais*.
Cap. 4. Concerning the manner of contracting for wool in certain counties.
Cap. 5. Againſt the importation of merchandiſes of the duchy of *Burgundy*.
Cap. 6. Concerning merchants aliens employment of their money upon commodities of this realm.
Cap. 7. Concerning cordwainers in *London*, or within three miles thereof.
Cap. 8. Concerning horners in the city of *London*.
Cap. 9. Concerning patten-makers.
Cap. 10. That the paſſage of pilgrims ſhall be only at *Dover*.

Anno 7 *Edw.* 4.

Cap. 1. Concerning worſted weavers in the city of *Norwich* and the county of *Norfolk*.
Cap. 2. Concerning cloths made in the hundreds of *Lifton*, *Taviſtock*, and *Rowburgh* in *Devonſhire*.
Cap. 3. Againſt the exportation of woolen yarn, or cloth unfulled.
Cap. 4. Concerning grants made by the King.
Cap. 5. How lands coming to the King by attainder, and granted to another, ſhall be held.

Anno 8 *Edw.* 4.

Cap. 1. Concerning the dimenſions, &c. of woolen cloths.

Cap.

Cap. 2. Concerning liveries of companies.
Cap. 3. Concerning jurors in *Middlesex*.
Cap. 4. For pardon of sheriffs, &c. exercising their offices above one year.

Anno 12 *Edw.* 4.

Cap. 1. A sheriff, not being discharged, may occupy his office during *Michaelmas* term.
Cap. 2. Four bow staves shall be brought into this realm for every tun of merchandise.
Cap. 3. For the payment of a subsidy granted to the King during his life.
Cap. 4. Concerning liveries to be given by the prince of *Wales*.
Cap. 5. Concerning the exportation of wools.
Cap. 6. Concerning the sewers.
Cap. 7. Against wears and fishgarths.
Cap. 8. The chief governors only of cities, &c. shall have the searching and surveying of victual, and patents to searchers and surveyors of victual shall be void.
Cap. 9. Concerning the office of escheators.

Anno 14 *Edw.* 4.

Cap. 1. For the benefit of the King's tenants going in his wars.
Cap. 2. Concerning protections of such as go in the King's wars.
Cap. 3. Concerning the exportation of wools and fells.
Cap. 4. A confirmation of statutes made against the breakers of truce, &c.

Anno 17 *Edw.* 4.

Cap. 1. An act concerning money.
Cap. 2. For courts of Pie-powders.
Cap. 3. Against unlawful games.
Cap. 4. Concerning the making of tile.
Cap. 5. Concerning the sealing of cloths.
Cap. 6. That the old sheriff may execute his office during the residue of *Michaelmas* and *Hillary* term, after his year ended, if he has not before his writ of discharge.
Cap. 7. A repeal of the parliament held *anno* 9 *Ed.* 4. and 49 *Hen.* 6.

Anno 22 *Edw.* 4.

Cap. 1. An act concerning apparel.
Cap. 2. Concerning the packing of barrell'd fish.
Cap. 3. Concerning silk-workers.
Cap. 4. For limiting the price of bows.
Cap. 5. Concerning the fulling of hats and caps.
Cap. 6. Concerning swans.
Cap. 7. An act for inclosing woods in forests, chases, and purlieus.
Cap. 8. Concerning the town and freemen of *Berwick*.

The End of the TABLE.

THE
STATUTES at Large, &c.

Anno primo HENRICI V.

Statutes made at *Weſtminſter* in the firſt year of the reign of King HENRY the Fifth, and in the year of our Lord 1413.

NOSTRE ſeignur le Roy a ſon parlement tenuz a Weſtm' a les trois ſemaignes de Paſche lan de ſon regne primere de ladvis & aſſent des ſeignurs eſpirituelx & temporelx & a les eſpecialx inſtaunce & requeſt des communes de ſon roialme ad ordeignez & eſtabliz diverſes ordinaunces & eſtatuts en la fourme qenſeute.

OUR *lord the King, at his parliament holden at* Weſtminſter *in the third week of* Eaſter, *the firſt year of his reign, by the advice and aſſent of the lords ſpiritual and temporal, and at the ſpecial inſtance and requeſt of the commons of this realm, hath ordained and eſtabliſhed divers ſtatutes and ordinances in the form following.*

CAP. I.

What ſort of people ſhall be choſen, and who ſhall be the chooſers of the knights and burgeſſes of the parliament.

PRimerement qe les eſtatutz faitz de la election des chivalers des countees pur venir au parlement ſoient tenuz & gardez en toutz pointz adjouſtant a ycelles qe les chivalers des countees qe deſores ſerrount eſluz en cheſcun countee ne ſoient eſluz ſils ne ſoient reſeauntz deinz les countees ou ils ſerrount iſſint eſluz le jour de la date du brief de ſomons de parlement et qe les chivalers & eſquiers & autres qi ſerrount eſliſours des tielx chivalers des countees ſoient auxi reſeauntz deins meſmes les countees en maniere & fourme come deſſus eſt dit. Et outre ceo ordeignez eſt & eſtabliz qe

FIRST, That the ſtatutes of the election of the knights of the ſhires to come to the parliament, be holden and kept in all points; (2) adjoining to the ſame, That the knights of the ſhires which from henceforth ſhall be choſen in every ſhire, be not choſen unleſs they be reſident within the ſhire where they ſhall be choſen the day of the date of the writ of the ſummons of the parliament; (3) and that the knights and eſquires, and others which ſhall be chooſers of thoſe knights of the ſhires, be alſo reſident within the ſame ſhires, in manner and form form as is aforeſaid. (4) And more-

Raſt. 446.

What perſons ſhall be choſen and who ſhall be the chooſers of the knights, citizens and burgeſſes for the parliament.

moreover it is ordained and eſtabliſhed, That the citizens and burgeſſes of the cities and boroughs be choſen men, citizens and burgeſſes reſiant, dwelling and free in the ſame cities and boroughs, and no other in any wiſe.

7 H. 4. c. 15.
8 H. 6. c. 7.
10 H. 6. c. 2.
23 H. 6. c. 15.

les citeins & burgeiſes des citees & burghs ſoient eſſuz hommes citeins & burgeiſes reſeauntz demurrauntz & enfraunchiſes en meſmes les cites & burghs & nulles autres en nulle manere.

CAP. II.

A confirmation of former ſtatutes touching wears, mills, kidels, &c.

25 Ed. 3. ſtat. 4. c. 4.
45 Ed. 3. c. 2.
4 H. 4. c. 11.

ITEM, *becauſe that great complaint hath been made to our ſaid lord the King in this preſent parliament, for that the ſtatutes made in the time of his noble progenitors Kings of* England, *of the levying and ſtraiting of wears, mills, ſtanks, ſtakes, and kidels, be not kept according to the form and effect of the ſame ſtatutes, to the great damage of the people of the realm of* England; (2) our ſaid lord the King that now is, by the advice and aſſent of the lords ſpiritual and temporal, and at the requeſt of the ſaid commons, will and grant, That the ſaid ſtatutes and ordinances be ſurely holden and kept, and put in due execution.

ITEM pur ce qe graunde compleinte ad eſte faite a noſtre dit ſeignur le Roy en le dit parlement de ce qe les eſtatutz faitz en temps de ſes nobles progenitours de les enhanceur & eſtreiture des gors des moleyns eſtankes eſtakes & kideux ne ſont pas tenuz ne gardes ſolonc les fourme & effect de meſmes les eſtatuts a graunt damage du poeple & du roialme meſme noſtre ſeignur le Roy de ladvis & aſſent ſuiſditz & a la requeſt des dites communes voet & graunte qe les ditz eſtatuts ſoient ferment tenuz & gardes & mys en due execution.

CAP. III.

The penalty for forging or publiſhing a falſe deed.

Ex edit. Raſt. Conſpiracy. Forging of falſe deeds. Keilw. 110. b.

ITEM, *whereas many of the King's liege people which have manors, lands, or tenements, by purchaſe or by deſcent of inheritance or in any other manner, intending to be in peace and reſt in their ſaid tenures as they were wont to be, divers evil diſpoſed perſons, ſome of their own head, and ſome by falſe conſpiracy and covin, ſubtilly imagine and forge of new divers falſe deeds and miniments, and them do openly to be pronounced, publiſhed, and read, to trouble and change the lands of good people of the country, and to undo and trouble the poſſeſſions and titles of the ſaid King's liege people, by the which imagination and falſity many of the aforeſaid liege people be troubled and vexed, and at all times abiding in doubt of their poſſeſſions and eſtate:* our ſovereign lord the King willing to purvey a remedy in this caſe, by the advice and aſſent aforeſaid, and at the requeſt of the ſaid commons hath ordained and eſtabliſhed, That the party ſo grieved ſhall have his ſuit in that caſe, and recover his damages, and the party convict ſhall make fine and ranſom at the King's pleaſure.

Rep. 5 Eliz. c. 14.

CAP.

CAP. IV.

Sheriffs bailiffs ſhall not be in the ſame office in three years after. Sheriffs officers ſhall not be attornies.

ITEM pur ceo qe les lieges noſtre ſeignur le Roy noſent my purſuir ne compleindre des extorſions & oppreſſions a eux faitz par les miniſtres des viſcountes ceſtaſſavoir par ſouth-viſcountz clerks des viſcountes reſceyvours & baillifs des viſcountes a cauſe qe les ditz ſouthviſcountes clerks reſceivours & baillifs des viſcountes ſount ſy continuelment de an en an demurrauntz oveſqe les viſcountes enterchaungeablement en un office ou en autre noſtre ſeignur le Roy de ladvis & aſſent ſuiſdit & a la requeſt des ditz communes ad ordeignez & eſtabliz qe ceux qi ſount baillifs des viſcountz par un an ne ſoient en nul tiel office par les trois ans proſchein enſuantz forſpris les bailliffs des viſcountes queux ſont enheriteez en lour viſcountees et qe nul ſouth-viſcount ne clerk de viſcount reſceivour ne baillif de viſcount ſoit attourne en aucun court de Roy pur le temps qil eſt en office au aucun tiel viſcount.

ITEM, *for as much as the King's liege people dare not purſue or complain of the extorſions and of the oppreſſions to them done by the officers of ſheriffs, that is to ſay, by under-ſheriffs, clerks of ſheriffs, receivers and bailiffs of ſheriffs, becauſe that the ſaid under-ſheriffs, clerks, receivers, and bailiffs be continually, from year to year, abiding with the ſheriffs interchangeably out of one office into another*; (2) our lord the King, by the advice and aſſent aforeſaid, and at the requeſt of the ſaid commons, hath ordained and eſtabliſhed, That they which be bailiffs of ſheriffs by one year, ſhall be in no ſuch office by three years next following, except bailiffs of ſheriffs which be inheritable in their ſheriffwicks. (3) And that no under-ſheriff, ſheriff's clerk, receiver, nor ſheriff's bailiff, be attorney in the King's courts during the time that he is in office with any ſuch ſheriff.

The ſheriffs bailiffs ſhall not be in the ſame office three years after.

Sheriffs officers ſhall not be attornies.

CAP. V.

In which original writs additions of the defendants names ſhall be put.

ITEM ordeignez eſt & eſtabliz qen cheſcun brief original des actions perſonelx & appelles & enditementz en queux exigend' ſerra agardez qa les nouns des defendauntz en tieux briefs originalx appelles & enditementz ſoient faitz additions de lour eſtat ou degree ou de miſtere & les villes ou hamelles ou lieux & les countees des queux ils furent ou

ITEM, it is ordained and eſtabliſhed, That in every original writ of actions perſonals, appeals, and indictments, and in which the exigent ſhall be awarded, in the names of the defendants in ſuch writs original, appeals and indictments, additions ſhall be made of their eſtate or degree, or myſtery, and of the towns, or hamlets, or places, and counties, of

6 Co. 67. Cro. El. 198. Cro. Jac. 610. Dyer, 46. Bro. Addit. 4. 5,7 ----&c. 1 Show. 16. 3 Mod. 139.

In original writs wherein exigent ſhall be awarded, additions of the defendants names ſhall be put.

of the which they were, or be, or in which they be or were converſant; (2) and if by proceſs upon the ſaid original writs, appeals, or indictments, in the which the ſaid additions be omitted, any utlagaries be pronounced, that they be void, fruſtrate, and holden for none; (3) and that before the utlagaries pronounced, the ſaid writs and indictments ſhall be abated by the exception of the party, where in the ſame the ſaid additions be omitted.

Hob. 129. Surpluſage of additions ſhall not prejudice. Mod. caſes in law, 52.

(4) Provided always, That though the ſaid writs of additions perſonals be not according to the records and deeds, by the ſurpluſage of the additions aforeſaid, that for that cauſe they be not abated; (5) and that the clerks of the chancery, under whoſe names ſuch writs ſhall go forth written, ſhall not leave out, or make omiſſion of the ſaid additions as is aforeſaid, upon pain to be puniſhed, and to make a fine to the King, by the diſcretion of the chancellor. (6) And this ordinance ſhall begin to hold place at the ſuit of the party, from the feaſt of St. *Michael* next enſuing forward.

8 H. 6. c. 12. 5. El. c. 23.

ou ſount ou en queux ils ſont ou ſerront converſauntz. Et ſi par proceſſe ſur les ditz briefs originalx appelles ou enditementes en queux les ditz additions ſoient entreleſſez aucunes utlagariez ſoient pronunciez qils ſoient voidez irritez & tenuz pur null & qe avaunt les utlagaries pronunciez les ditz briefs & enditementes ſoient abatuz par exception du partie par la ou en icelles les ditz additions ſoient enterleſſez. Purveux toutfoitz qe meſqe les dites briefs dactions perſonelx ne ſoient accordauntz as recordes ou faits par la ſuperpluſage des additions ſuiſditz qe pour celle cauſe ils ne ſoient abatuz et qe les clerks de la chauncellarie ſouth qi noms tiels briefs iſſerount eſcriptz ne enterleſſent ne facent omiſſion des ditz additions come deſſuis eſt dit ſur peyne deſtre puniz affaire fyn a Roy par diſcretion de chanceller. Et comencera ceſte ordinance a tenir lieu a ſeute de partie de la feſt de Seint Michel proſchein enavaunt.

CAP. VI.

No Welſhman *ſhall take revenge againſt thoſe* Engliſhmen *which did purſue their friends in the late rebellion.*

Ex edit. Raſt. Wales.

ITEM, *whereas in the time of this rebellion of* Wales, *many of the King's lawful liege people as well* Engliſhmen *as* Welſhmen *have been in divers parts of* Wales *upon the correction of rebels, there by the commandment of the ſame our ſovereign lord the King and his council, at the which time ſome of the ſaid rebels as well on horſeback as on foot, found armed in making of war againſt their faith and liegeance were ſlain, and ſome maimed, beaten, wounded, taken and impriſoned, their goods and chattels carried away by the ſaid liege people for the cauſe aforeſaid, as it was well lawful, according as by our ſaid ſovereign lord the King and his council afore this time hath been ordained in this behalf, and that notwithſtanding many of the ſaid rebels being yet alive, and other next of blood to theſe rebels ſo dead with their friends*

friend now daily make quarrels and great pursuit against the said faithful liege people, dwelling or resident in these parts, and in the shires being next to Wales *surmising in them, that they such things as is aforesaid, to themselves or to their cousins or friends falsly have done, by the which they demand of the said faithful liege people high amends, threatning that they otherwise would be of that avenged, whereby the said faithful liege people be many times sore and grievously vexed in many parts and lordships of* Wales, *some of them by indictments, accusements or impeachments; and some by menaces distresses taken, and some by their body taken and imprisoned, until that they have made agree to them in this behalf, or that they would them excuse of the death of such rebels so slain by one assache, after the custom of* Wales, *that is to say by the oath of three hundred men, and of all such other trespasses before specified them acquit: to the great damage and destruction of the said faithful liege people, and evil example in time to come:* it is ordained and established, That such quarrel, action, and demand be not made from henceforth by art nor by engine, to any of the faithful liege people, by any of them, which have been rebels, nor by their adherents, be he cousin, ally, or friend, nor by any other, upon pain to pay to the party grieved his treble damages, and to be imprisoned by two years after that he be convict: and moreover to make fine and ransom in this behalf before that he be delivered out of prison.

CAP. VII.

A confirmation of the statute of 13 RICH. 2. c. 3. *restraining aliens to accept any benefices in* England.

Aliens.

ITEM, *whereas in the parliament holden at* Westminster, *in the time of King* Richard *the Second, the* xiii. *year of his reign it was ordained, That no alien* Frenchman *should have nor enjoy any benefice within this realm for certain cause, which might come or happen, but that they should be delivered and voided for ever out of the realm before a certain time in the said ordinance limit, as in the same is plainly contained. And that at what time that any priories aliens conventual or any other benefice or office due by the King's title, do void by the departing or death of the said priors and other occupiers, that then there should be during the wars, honest* English *persons put in their place to accomplish the divine service, and none of the enemies aforesaid. And notwithstanding the said ordinance, the said aliens* Frenchmen, *by evil imagination and brocage to continue the evil mischiefs of the said ordinance, purchase the King's letters patents to be denizens and the King's liege people and swear the same to continue, to the intent to occupy and enjoy the said benefices, and so yet occupy many benefices against the said ordinance, whereby these aliens* Frenchmen *be increased, in destruction of the King's liege people, and bear away out of the realm great treasure of the King's and of the realm's: and the King's counsel disclose to the enemies of* France, *to the great damage of the King and his realm:* our sovereign lord the King considering the said mischiefs, will that the said ordinances be firmly holden and kept, and put in due execution, except the priors aliens conventual, and also all other priors which have institution and induction, so that they be ca-

Benefice.

tholick, and that they ſhall find ſurety, not to diſcloſe nor cauſe to be diſcloſed the counſel nor the ſecrets of the realm.

CAP. VIII.

All Iriſhmen *and* Iriſh *clerks beggars, ſhall depart this realm before the firſt day of* November, *except graduates, ſerjeants, &c.*

Iriſhmen and Iriſh clerks beggars.

ITEM, *for the quietneſs and peace within the realm of* England, *and for the increaſe and enſtoring of the land of* Ireland, *it is ordained and eſtabliſhed in this preſent parliament,* That all *Iriſhmen* and *Iriſh* clerks beggars, called chamberdeacons, be voided out of the realm, between the feaſt of St. *Michael* next coming, and the feaſt of *All Saints* next following, upon pain to loſe their goods, and to be impriſoned at the King's pleaſure: *except ſuch as be graduates in the ſchools, and ſerjeants and apprentices of the law, and ſuch which be inheritors in* England, *and religious perſons profeſſed, and except alſo the merchants born in* Ireland *of good name, and their apprentices now dwelling in* England, *and them with whom the King will diſpenſe.* And that all the *Iriſhmen* which have benefices or offices in the land of *Ireland*, ſhall dwell upon their offices or benefices for the defence of the land of *Ireland*, aforeſaid.

1 H. 6. c. 3.
2 H. 6. c. 8

CAP. IX.

The revenues of Calais *ſhall be employed to the maintenance of it.*

ITEM, *foraſmuch as in the time of the noble King* Edward *the Third, and of King* Richard *the Second, all the revenues, profits, and commodities of the lands, tenements, fiſhing cuſtoms, and all other profits, to the ſaid Kings belonging, in the town and marches of* Calais, *it was ordained to be levied by the treaſurer of* Calais, *for the time being in ſupportation of the charges of the ſame town and marches, and ſince which time a great part of them have been reſtrained by virtue of the ſaid letters patents to divers captains and many other perſons, as well by the ſaid King* Richard *as by our redoubted ſovereign lord King* Henry *the Fourth father of our ſovereign lord the King that now is, to them thereof made, whereby ſome by colour of farm not reaſonable, and other without any thing thereof yielding, to the great damage of the realm of* England, *and hindrance of the payments for the ſuſtentation of the ſaid town and marches to be done. And alſo foraſmuch as divers offices of the collectors of money coming of the ſaid revenues, cuſtoms, profits, and commodities, which the ſaid treaſurer of* Calais, *in the time aforeſaid, ordained and aſſigned to ſufficient perſons, for whom he would anſwer, to tarry and be removed according as to him ſhall beſt ſeem to the King's profit, have been afterwards againſt the ancient ordinances and the ſtatute in the parliament thereof made, by divers letters patents to divers perſons as well by the ſaid King* Richard, *as by our ſovereign lord King* Henry *aforeſaid, to them thereof made for term of their lives and otherwiſe occupied, and by colour of the ſaid letters patents, ſome of them (as it is ſaid) do the more negligently their ſervices, without being juſtified by the treaſurer aforeſaid, to the great damage and hindrance of the payments aforeſaid in times paſt: our ſovereign*

Calais.

vereign lord the King willing to eſchew ſuch damages in time to come, by the advice and aſſent aforeſaid, and at the requeſt of the ſaid commons, will and hath ordained and eſtabliſhed, That all the letters patents made to captains and other perſons, whatſoever they be, as well of all manner of rents, lands, tenements, cuſtoms, fiſhings, and all other revenues, profits, and commodities in the ſaid town and marches, as of the offices of collectors of all rents, cuſtoms, revenues, profits, and commodities to them thereof made before this time againſt the ordinances aforeſaid, be wholly revoked and adnulled, and that the ſaid revenues, profits and commodities, be reſumed into the hands of our ſovereign lord the King, and put upon the ſuſtentation of the payments and charges to the ſaid town and marches belonging. Provided always, That my lord *Thomas* duke of *Clarence*, brother of our ſovereign lord the King, be not reſtrained by this ordinance and ſtatute of any of his poſſeſſions in the ſaid marches. And that no captain of caſtles there be put out of the ſaid caſtles, nor keeping of the ſame by force of this ordinance or ſtatute.

Letters patents

CAP. X.

By what meaſure purveyors and others ſhall take and buy corn.

ITEM, whereas in the time of the King's noble progenitors it was ordained, That one meaſure of the corn ſhould be through all the realm of *England*, that is to ſay, eight buſhels for the quarter, and that every buſhel ſhall contain eight gallons, by force of which ordinances ſuch meaſure hath been uſed, with a buſhel of the ſaid quarter heaped: (2) and notwithſtanding the ſaid good ordinances and uſages, the purveyors of corn as well for the houſe of the father of our lord the King, as for the houſe of our lord the King, which now is, have taken before this time for the ſaid houſes continually nine buſhels of wheat, and of other corn for the quarter, and that many times by meaſure not ſealed, and alſo not ſtricken, againſt the will of the ſellers of the ſame, and without due price ſet upon the ſame after the law of the land, and alſo cauſe the ſellers to carry the ſaid corn to what place that them pleaſeth, without paying for the carriage: (3) and the merchants and citizens of *London*, do uſe to take of every ſeller for the quarter of wheat nine buſhels by the meaſure, uſed within the ſaid city called the *Fate*, with the buſhel ſet upon the ſaid fate, and yet make the ſellers to pay a halfpenny for the meaſuring of every quarter, and take for a quarter of oats ten buſhels, whereby the buyers of the corn in the country will not buy nor take for the quarter of corn, but in the ſame manner as the ſaid purveyors, and they of the ſaid city uſed to take, to the great hindrance and perpetual undoing of the commonalty aforeſaid:

London meaſure called the Fate.

II. It is ordained and eſtabliſhed, That all the ſaid good ordinances be firmly holden and kept, after the effect of the ſame. (2) And that no purveyor of our lord the King, nor any other ſhall

By what meaſures purveyors and others ſhall take and buy corn.

uſe hereafter to buy nor to take any corn by other meaſure, but eight buſhels ſtriked for the quarter; and that none be otherwiſe bound to deliver for the quarter but eight buſhels ſtriked as is aforeſaid, and alſo that the payment be made in hand for the carriage. (3) And that if any purveyor of our lord the King, or any other perſon buy or take any corn otherwiſe, or by other meaſure but eight buſhels ſtriked for the quarter, as in the ſaid ordinances is contained, and thereof be attainted, he ſhall have one year's impriſonment, and pay to the King an hundred ſhillings, and to the party that feeleth himſelf grieved another hundred ſhillings, and that as often as any of them be thereof attainted; (4) and that the party which will ſue, have an action grounded upon the caſe, (5) and that the juſtices of the peace have power to enquire and hold plea of all theſe things aforeſaid, and upon that make puniſhments as is aforeſaid, as well at the ſuit of the King, as of the party: (6) and that from hencefourth nothing be taken for the meaſuring of ſuch corn in any wiſe.

4 Ed. 3. c. 3.
25 Ed. 3. ſtat. 5. c. 1.
36 Ed. 3. c. 2.
11 H. 6. c. 8.
11 H. 7. c. 4.
12 Car. 2. c. 24.

Statutes made at *Leiceſter*, *Anno* 2 HEN. V. ſtat. 1, and *Anno Dom.* 1414.

OUR lord the King, at his parliament holden at Leiceſter *the laſt day of* April, *the ſecond year of his reign, by the advice and aſſent of the lords ſpiritual and temporal, and at the ſpecial inſtance and requeſt of the commons of his realm in the ſame parliament aſſembled, hath ordained and eſtabliſhed divers ordinances, declarations, and ſtatutes made in the form as followeth.*

NOſtre ſeignur le Roy a ſon parlement tenuz a Leyceſtr' le darrein jour de Aprill lan de ſon regne ſeconde de ladvys & aſſent des ſeignurs eſperituelx & temporelx & a les eſpeciales inſtance & requeſt des communes de ſon roialme en meſme le parlement eſteantz ad ordeigne & eſtable diverſes ordinances declarations & eſtatutz en la fourme qenſuyt.

CAP. I.

Ordinaries ſhall inquire of, and reform the eſtates of hoſpitals.

The cauſes of the erection of hoſpitals.

FIRST, foraſmuch as many hoſpitals within the realm of England, *founded as well by the noble Kings of this realm, and lords and ladies both ſpiritual and temporal, as by divers other eſtates, to the honour of God and of his glorious mother, in aid and merit of the ſouls of the ſaid founders, to the which hoſpitals the ſame*

EN primes pur taunt qe pluſeurs hoſpitalx dedenz le roialme dEngleterre founduz ſibien par les nobles Rois de meſme le roialme & ſeignurs & dames eſperituelx & temporelx come par autres de diverſes eſtates al honeur de Dieu & de ſa glorioufe meere en eide & merit des almes de

les

les ditz foundours as queux hoſpitalx meſmes les foundours ont donez grandement de lour biens moebles pur ledifications dicelles & grandement de lour terres & tenementz pur ent ſuſtener viegles hommes & femmes lazars hommes & femmes hors de lour ſennes & memories povres femmes enſeintez & autres povres & la nurrir relever & refreſſer en ycelles ſont ore pur la greindre partie enchiez & les biens & profitz dicelles par diverſes perſones eſpirituelx & temporelx retraitz & deſpenduz en autri oeps paront pluſeurs hommes & femmez ont moruz en graund meſchief pur defaute de eide vivre & ſocour al diſpleiſance de Dieu & perill des almes de tieux malveis deſpendours le Roy noſtre ſeignur treſſoverain conſiderant les meritories & devoutes ententes de les foundours avauntditz & auxi les malveis & inſolent governance en ycelles euz del advis & aſſent ſuſdit ad ordeigne & eſtablie qe quant as hoſpitalx queux ſont del patronage & fundation le Roy les ordenairs par vertue des commiſſions le Roy a eux adreſſez enquergent del maner de la fundation des ditz hoſpitalx & de la governance & eſtat dicelles & de toutes autres matiers en ceſte partie neceſſairs & boſoignables & lenquiſitions ent pris certifient en la chauncellarie le Roy. Et quant as autres hoſpitalx qi ſont dautri fundation & patronage qe de Roy les ordenairs enquergent del manere de la fundation eſtat & governance dicelles & de toutz autres maters & choſes boſoignables celle partie & ſur ce facent ent correction & reformation ſelonc

ſame founders have given a great part of their moveable goods for the buildings of thè ſame, and a great part of their lands and tenements, therewith to ſuſtain impotent men and women, lazers, men out of their wits, and poor women with child, and to nouriſh, relieve, and refreſh other poor people in the ſame, be now for the moſt part decayed, and the goods and profits of the ſame, by divers perſons, as well ſpiritual as temporal, withdrawn and ſpent in other uſe, whereby many men and women have died in great miſery for default of aid, living, and ſuccour, to the diſpleaſure of God, and peril of the ſouls of ſuch manner of ſpenders: (2) the King our ſovereign lord, conſidering the meritorious and devout intents of the founders aforeſaid, and the unaccuſtomed government in the ſame, hath by the advice and aſſent aforeſaid, ordained and eſtabliſhed, that as to the hoſpitals which be of the patronage and foundation of the King, the ordinaries, by virtue of the King's commiſſions to them directed, ſhall inquire of the manner and foundation of the ſaid hoſpitals, and of the governance and eſtate of the ſame, and of all other matters neceſſary and requiſite in this behalf, and the inquiſitions thereof taken ſhall certify in the King's chancery. (3) And as to other hoſpitals which be of another foundation and patronage than of the King, the ordinaries ſhall inquire of the manner of the foundation, eſtate, and governance of the ſame, and of all other matters and things neceſſary in this behalf, and upon that make thereof corrrection and reformation according to

Ordinaries ſhall inquire of and reform the foundation, eſtate, and government of hoſpitals.

the

the laws of holy church, as to them belongeth.

ſelonc les loies de ſeinte eſgliſe come a eux appertient.

CAP. II.

A Corpus cum cauſa, *or* Certiorari *to remove him who is in execution at another man's ſuit.*

F.N.B. 242.

ITEM, *foraſmuch as many men have been condemned in the courts of our lord the King, and in the courts of his progenitors, as well within the city of* London, *as in other cities and boroughs within the realm of* England, *and by the virtue of ſuch condemnations have been committed to the priſon of our lord the King, there to remain until they have made agreement to the plaintifs to whom they were condemned*; (2) *after by their ſuggeſtion made in the chancery of our lord the King, they have had divers writs called* Certiorari, *and* Corpus cum cauſa, *out of the chancery of our ſaid lord the King, directed to the ſheriff, or keepers of the priſons where ſuch perſons condemned be holden, to have their bodies, with the cauſe of impriſonment of the condemned aforeſaid, in the chancery, at the days contained in the ſaid writs*; (3) *after which writs, together with the body, and the cauſe of the condemnation, returned in the chancery aforeſaid, the ſaid perſons ſo condemned have been delivered in the chancery aforeſaid, by bail or by mainprize, or enlarged without bail or mainprize, againſt the aſſent and will of the ſaid plaintiffs, and without any agreement made to the ſaid plaintiffs of the ſums in the which they be condemned, againſt the law of the land; and ſo remain the ſaid plaintiffs without remedy, in hindrance of the ſtate of ſuch plaintiffs, and in defeating of the judgments given in the courts afore-*

ITEM pur ceo qe pleuſeurs gentz ont eſtez condempnez en les courtz noſtre dit ſeignur le Roy & en les courtz de ſez nobles progenitours ſibien deinz la Citee de Londres come en autres citees & burghs deinz le roialme dEnglererre & par vertue de tielx condempnations ont eſtez commis a la priſone noſtre ſeignur le Roy pur y demorer tanqe ils ont fait gree as pleintifs vers queux ils furent condempnez & apres par lour ſuggeſtions faitz en la chauncellarie noſtre ſeignur le Roy ont euz diverſes briefs appellez Certiorari corpus cum cauſa hors de la chauncellarie noſtre ſeignur le Roy directz as viſcountz ou gardeins des priſones ou tielx gentz condempnez ſont detenuz pur avoir lour corps ove la cauſe denpriſonment de les condempnez ſuiſditz en la chancellarie as jours contenuz en les ditz briefs apres queux briefs enſemblement oveſqe la corps & la cauſe de condempnation retournez en la chauncellarie ſuiſdite les ditz gentz iſſint condempnez ont eſtez deliverez en la chauncellarie avauntdit par baillie ou par mainpriſe ou a large ſanz baillie ou mainpriſe encontre laſſent & voluntе des ditz pleintifs & ſanz aſcun gree faire as ditz pleintifs de les ſommes en queux ils ſont condempnez encontre la leie de la terre & iſſint demurgent les ditz pleintifs ſanz remedie en anientiſement de leſtat

ſtat de tielx pleintifs & en deſeſaunce des juggementz renduz en les courtz avauntditz noſtre dit ſeignur le Roy voillant ent faire remedie del advys & aſſent avauntditz & a la requeſte des communes ſuiſdites ad ordeigne & eſtablie qe ſi aſcun tiel brief de Certiorari corpus cum cauſa ſoit graunte ou ſerra graunte en temps avenir & ſur le dit brief ſoit retourne qe le priſoner qeſt iſſint detenu en priſone ſoit condempne par juggement qe maintenant ſoit remande ou demurge continuelment en priſone ſolonc la ley de la terre ſanz eſtre leſſez aler par baillie ou par mainpriſe encontre la volunte des pleintifs ſuſditz tanqe lour ſoit fait gree de les ſommes iſſint adjuggez.

foreſaid: (4) Our lord the King, willing herein to provide remedy, by the advice and aſſent aforeſaid, and at the requeſt of the foreſaid commons, hath ordained and eſtabliſhed, That if any ſuch writ of *Certiorari*, or *Corpus cum cauſa*, be granted, or ſhall be granted at any time hereafter, and upon the ſaid writ if it be returned, that the priſoner which is ſo holden in priſon is condemned by judgment given againſt him, that preſently he ſhall be remanded, where he ſhall remain continually in priſon according to the law and cuſtom of the land, without being let to go by bail or by mainpriſe againſt the will of the ſaid plaintiffs, until agreement be made to them of the ſums ſo adjudged.

If a Corpus cum cauſa or Certiorari be granted to remove him that is in priſon upon an execution at another man's ſuit, he ſhall be remanded.

CAP. III.

A copy of the libel in the ſpiritual court ſhall be delivered.

ITEM pur ceo qe diverſes lieges noſtre ſeignur le Roy ſont citez de jour en autre dapparoir en courte chriſtiene devaunt juges eſperituelx a y reſpondre as diverſes perſones ſibien des choſes qe touchent frank tenement dette treſpaſſez covenantz & autres des queux la coniſance appertient al courte noſtre ſeignur le Roy come de matrimonie & teſtament & qant tielx perſones iſſint citeez appiergent & demandent un libell de ceo qe lour eſt ſurmys pur eſtre enformez a doner lour reſpons illoeqes ou autrement a purchacer brief noſtre ſeignur le Roy de prohibition ſelonc lour cas quell libell lour eſt denie par les ditz juges eſpirituelx al entent qe tielx perſones ne ſerront mye par nul tiel

ITEM, *foraſmuch as divers of the King's liege people be daily cited to appear in the ſpiritual court before ſpiritual judges, there to anſwer to divers perſons, as well of things which touch freehold, debt, treſpaſſes, covenants, and other things whereof the cogniſance pertaineth to the court of our lord the King, as of matrimony and teſtament;* (2) *and when ſuch perſons ſo cited appear and demand a libel of that which againſt them is ſurmiſed, to be informed to give their anſwer thereunto, or otherwiſe to purchaſe a writ of our lord the King, of* Prohibition, *according to their caſe, which libel to them is denied by the ſaid ſpiritual judges, to the intent that ſuch perſons ſhould not be aided by any ſuch writ againſt the law, and to the*

12 Co. 61.
13 Co. 41.
1 Lutw. 134.
Cro. Jac 37.
3 Bulſtr. 51.
120.

the great damage of ſuch perſons ſo impleaded: (3) Our ſaid lord the King, by the advice and aſſent of the lords ſpiritual and temporal, and at the requeſt and inſtance of the ſaid commons, hath ordained and eſtabliſhed, That at what time the libel is grantable by the law, that it may be granted and delivered to the party without any difficulty.

tiel brief aidez encontre ley & as graundes damages de tielx perſones iſſint empledez Noſtre dit ſeignur le Roy del advis & aſſent ſuſditz & a la prier des ditz communes ad ordeigne & eſtablie qe a quelle heure la copie de la libell eſt grauntable par la ley quil ſoit graunte & livere a la partie ſanz difficulte.

A copy of a libel grantable in the ſpiritual court ſhall be preſently delivered upon the defendant's appearance. Raſt. 483.

CAP. IV.

What juſtices of peace muſt be reſident in the ſame ſhire; and at what times they muſt hold their quarter-ſeſſions.

ITEM, *foraſmuch as the ſervants and labourers of the ſhires of the realm do flee from county to county, becauſe they would not be juſtified by the ordinances and ſtatutes by the law for them made, to the great damage of gentlemen and others, to whom they ſhould ſerve, becauſe that the ſaid ordinances and ſtatutes for them ordained be not executed in every ſhire*; (2) our lord the King, willing in this caſe to provide a remedy, by the advice and aſſent aforeſaid, and at the requeſt of the ſaid commons, hath ordained and ſtabliſhed, That the ſtatute of labourers made at *Canterbury*, and all other good ſtatutes of labourers made, and not repealed, be firmly holden and kept, and put in due execution. (3) And moreover, That the juſtices of peace have power to ſend their writs for ſuch fugitive labourers, to every ſheriff of the realm of *England*, and to make ſuch proceſs as the ſtatute requireth, to bring them before them to anſwer to our ſovereign lord the King, and to the parties, of the contempts and treſpaſſes made or done againſt the ordinances and

ITEM pur tant qe les ſervantz & laborers des countees du roialme ſenfuent des countees es countees a cauſe qils ne voudrent eſtre juſtifiez par les ordeignances par ley ſur eux faitz a graunt damage des gentils & des autres as queux ils ſerverent a cauſe qe les ditz ordeignances & eſtatutz ſur eux faitz ne ſont mye executz en toutz countees noſtre ſeignur le Roy voillant purvoir de remedie ceſt partie del aſſent & advys avantditz & a la requeſt des ditz communes ad ordeigne & eſtablie qe leſtatut de laborers fait a Cantebrigg & toutes autres bones eſtatutz des laborers faitz & nient repellez ſoient fermement tenuz & gardez & mys en due execution. Et outre ceo qe les juſtices du pees eient poair de mander lour briefs pur tielx laborers fugitifs a cheſcun viſcount dEngleterre & de faire autielx proceſſes come leſtatut des laborers requiert pur eux ameſner devaunt eux a reſpondre a noſtre ſeignur le Roy & a les parties des contemptz & treſpaſſez faitz encontre les ordeignances & eſtatutz ſuiſditz en maner come les ditz juſtices ont poair de

12 R. 2. c. 3. &c. Juſtices of the peace may ſend their writs for fugitive ſervants or labourers to every ſheriff of England. Rep. 5 El. c. 4.

de mander a chéſcun viſcount pur larons devaunt eux enditez. Et auxi qe toutz les eſtatutz & ordeignances des laborers ſervantz & artificers devant ces heures faitz & nient repellez ſoient exemplifiez deſſoutz le graunt ſeal & mandez a cheſcun viſcount dEngleterre dent faire proclamation en pleine counte & puis celle proclamation faite qe cheſcun viſcont face deliverer la dite exemplification a luy direct as juſtices de la pees en ſon countee nomez en la quorum ou a un de eux a demurer envers tielx juſtices qi ſont ou ſerront pur le mielx mettre les ditz eſtatutz & ordeignances en due execution. Et es countees ou diverſes commiſſions de la pees ſont faitz ſoient atantz des exemplifications des eſtatutz & ordeignances avauntditz faitz come ſont commiſſions de la pees en meſme le countee & mandez a viſcount a faire proclamation & les liverer come deſſuis eſt dit.

Et qe les juſtices de la pees en cheſcun countee nomez en la quorum reſeantz deinz meſme le counte exceptz ſeignurs nomez en la commiſſion de pees & auxi exceptz les juſtices de lun banc & de lautre chief baron de leſcheqer ſergeantz de la leie & attournes du Roy pur le temps qe meſmes les juſtices chief baron ſergeantz & attournez ſont entendantz & occupiez en les courtz du Roy ou aillours occupiez en ſervice le Roy facent lour ſeſſions quatre foits par an ceſtaſſavoir en la primer ſemaigne apres le feſt de Seint Michel & la primer ſemaigne apres le feſt de Tiphaine & en la primer ſemaigne apres le clauſe de paſk

and ſtatutes aforeſaid, in like manner as the juſtices have power to ſend to every ſheriff for the felons before them indicted. (4) And alſo that all the ſtatutes and ordinances of labourers, ſervants, and artificers, before this time made, and not repealed, be exemplified under the great ſeal, and ſent to every ſheriff of the realm of *England*, thereof to make proclamation in full county, and after this proclamation ſo made, that every ſheriff ſhall cauſe the ſaid exemplification to him directed, to be delivered to the juſtices of the peace in his county named of the *quorum*, or to one of them, to remain with ſuch juſtices which be, or ſhall be, for the better putting of the foreſaid ſtatutes and ordinances in due execution. (5) And in ſhires where divers commiſſions of the peace be made, there ſhall be ſo many exemplifications of the ſtatutes and ordinances aforeſaid made, as be commiſſions of the peace in the ſame ſhires, and ſent to the ſheriff to make proclamation, and to deliver the ſame, as is afore ſaid.

What juſtices of peace and quorum muſt be reſiant in the ſame ſhire, what not.

II. And that the juſtices of the peace in every ſhire named of the *quorum*, be reſiant within the ſame ſhire, except lords named in the commiſſion of the peace; and alſo except juſtices of the one bench, and of the other, the chief baron of the exchequer, ſerjeants at the law, and the King's attorney, for the time that the ſame juſtices, chief baron, ſerjeants at the law, and the King's attorney, be intending and occupied in the King's courts, or otherwiſe in ſome other place oc-

occupied in the King's ſervice; (2) and make their ſeſſions four times by the year, that is to ſay, in the firſt week after the feaſt of Saint *Michael*, and in the firſt week after the *Epiphany*, and in the firſt week after the clauſe of *Eaſter*, and in the firſt week after the tranſlation of Saint *Thomas* the martyr, and more often, if need be. (3) And that the ſame juſtices hold their ſeſſions throughout the realm of *England* in the ſame weeks every year from henceforth. (4) And alſo that the juſtices of peace from henceforth have power to examine as well all manner of labourers, ſervants, and their maſters, as artificers, by their oaths, of all things by them done contrary to their ſaid ordinances and ſtatutes, and upon that to puniſh them upon their confeſſion, after the effect of the ſtatutes and ordinances aforeſaid, as though they were convict by inqueſt. (5) And that the ſheriff in every ſhire of the realm of *England* ſhall do well and duly his office in this behalf, upon pain to loſe and to forfeit to our lord the King twenty pounds.

paſk & en la primer ſemaigne apres la tranſlation de Seint Thomas le martir & pluis ſovent ſi meſtier ſoit. Et qe meſmes les juſtices tiegnent lour ſeſſions parmy tout Engleterre en meſmes les ſemaignes cheſcun an deſore en avaunt & auxi qe les juſtices de la pees deſormes eient poair dexaminer ſibien toutz maners laborers ſervantz & lour meſtres come artificers par lour ſerementz de toutz maters & choſes par eux faitz a contrarie des eſtatutz & ordinances avaunt-ditz & ſur ceo de les punir ſur lour coniſance ſelonc leffect de les eſtatutz & ordeignances avauntditz ſicome ils fuerent convictz par enqueſt. Et qe le viſcount de cheſcun countee en Engleterre face bien & duement ſon office celles parties ſur peyn de perdre au Roy xx livres.

At what times juſtices of the peace ſhall hold their quarter ſeſſions. 36 Ed. 3. c 12. 12 R. 2. c. 10. Twice in the year ſufficient in Middleſex by 14 H. 6. c. 4.

Juſtices of peace may examine labourers, ſervants, and other maſters, and artificers, by their oaths.

CAP. V.

Proceſs againſt felons dwelling in Tyndal *or* Exhamſhire *in* Northumberland.

4 Inſt. 278.

ITEM, *foraſmuch as by the commons of the county of* Northumberland *grievous complaints have been made to our ſovereign lord the King in this preſent parliament, for that many murders, treaſons, manſlaughters, robberies, and divers other offences, to many of the faithful liege people of the ſame county, by people dwelling in the ſame county within the franchiſe of* Tyndal *and* Exhamſhire, *where the King's writ runneth not, now of late have been perpetrated otherwiſe than have been done or known before this*

ITEM pur ceo qe depar les communes del countee de Northumbr' ont eſte faitz treſgrevouſes compleints a noſtre tres ſoveraigne ſeignur le Roy en ceſt preſent parlement de ceo qe pleuſeurs murdres treſons homicides roberies & autres malfaitz a pleuſeurs ſez loialx lieges de meſme le counte par gentz demurrantz en icell countee dedeins les franchiſes de Tyndale & Exhamſhire ou le brief le Roy ne court mys ja tarde ont eſte perpetrez autrement qe nont eſte faitz ou conuz

conuz pardevant atant de peril de les ditz lieges du Roy qe ſanz due remedie celle partie mettre ils noſerent a y demorer longement enavant a cauſe qe tielx malefeſours ſont enſi favorez par tielx franchiſes. Noſtre dit ſeignur le Roy del advis & aſſent avantditz & al requeſt des ditz communes ad ordeignie & eſtablie qe ſi aſcune perſone des ditz franchiſes de Tyndale & Exhamſhire reſceant ou demurant deinz ycelles de quell eſtat ou condition il ſoit face murdres treſons homicides ou robberies ou conſent de les faire hors des ditz franchiſes de Tyndale & Exhamſhire proceſſe ſoit fait devers luy par la commune leie tanqe il ſoit utlage & qe apres tiele utlagarie pronouncie & retourne facent ent les juſtices devaunt queux tiele utlagarie ſoit retourne certification a tieux miniſtres ou a tiel miniſtre des ditz franchiſes come a eux ſemblera meulz celle partie ſolonc lour diſcretion & ſoit tiel feloun pris par tiel miniſtre ou tielx miniſtres & ſes terres & tenementz biens & chateux eſteantz deinz icelles franchiſes ſeiſez es mains des ſeignurs de meſmes les franchiſes de Tyndale & Exhamſhire pur le temps eſteantz come forfaitz & qe les autres terres & tenementz biens & chateux de tiel felon eſteantz hors de meſmes les franchiſes demurgent entirement au Roy & as autres ſeignurs aiantz ent franchiſes come forfaitz ſavant toutzfoitz au Roy les forfaitures dautiels murdrours traitours homicidours robbours & autres malfeſours queconqes & dautres choſes queux a luy appertiegnent come de droit de ſa corone.

this time, to ſo many perils of the ſaid liege people of our lord the King, that without due remedy in this behalf provided, they dare no longer there dwell, becauſe that ſuch offenders be ſo favoured by ſuch franchiſes; (2) our ſaid lord the King, by the advice and aſſent aforeſaid, and at the requeſt of the ſaid commons, hath ordained and eſtabliſhed, That if any perſon of the ſaid franchiſes of *Tyndal* and *Exhamſhire*, reſiant or dwelling in the ſame, of what eſtate or condition that he be, do any murders, treaſons, manſlaughters, or robberies, or conſent to do them, out of the ſaid franchiſes of *Tyndal* and *Exhamſhire*, proceſs ſhall be made againſt him by the common law, until he be outlawed; (3) and that after ſuch outlawry pronounced and returned, the juſtices before whom ſuch outlawry is returned, ſhall make thereof certificate to ſuch miniſter or miniſters of the ſaid franchiſes, as to them ſhall ſeem beſt in this behalf, according to their diſcretion; (4) and ſuch felon ſhall be taken by ſuch miniſter or miniſters, and his lands and tenements, goods and chattels, being within the ſame franchiſe, ſeiſed into the hands of the lords of the ſame franchiſes of *Tyndal* and *Exhamſhire* for the time being, as forfeit; (5) and that the other lands and tenements, goods and chattels of ſuch felon, being out of the ſame franchiſes, ſhall wholly remain to the King, and to other lords having thereof franchiſe, as forfeit; (6) ſaving always to the King the forfeitures of ſuch murderers, traitors, manſlayers, robbers, and

The penalty of offenders dwelling in Tyndal, &c. who ſhall commit any robbery, &c. out of the ſame precincts.

other

9 H. 5. c. 7.
14 El. c. 13.

other offenders, and of other things which to him do belong as of the right of his crown.

CAP. VI.

Breaking of truce and ſafe conduct ſhall be high treaſon: In every port there ſhall be a conſervator of the peace and ſafe conduct.

4 Inſt. 152. Some have broken truces and ſafe conducts, and others have received and maintained them.
29 H. 6. c. 2.

ITEM, *foraſmuch as before this time divers people, compriſed within the truces made as well by our lord the King that now is, as by his noble father, and alſo divers other people having ſafe conducts, as well of our lord the King that now is, as of his noble father, have been ſome ſlain, robbed and ſpoiled, by the King's liege people and ſubjects, as well upon the main ſea, as within the ports and coaſts of the ſea of* England, Ireland, *and of* Wales, *whereby the ſaid truces and ſafe conducts have been broken and offended, to the great diſhonour and ſlander of the King, and againſt his dignity*; (2) *and the ſaid manſlayers, robbers, ſpoilers, and offenders of the ſaid truces and the King's ſafe conducts, as is afore declared, have been by divers of the King's liege people and ſubjects within the coaſts of divers counties, received, abetted, procured, concealed, hired, ſuſtained, and maintained:* (3) our ſaid lord the King, by the advice and aſſent aforeſaid, and at the requeſt of the ſaid commons, hath ordained and declared, That ſuch manſlaughter, robbery, ſpoiling, breaking of truce and ſafe conducts, and voluntary receipt, abetment, procurement, concealing, hiring, ſuſtaining, and maintaining of ſuch perſons, to be done in time to come by any of the King's liege people and ſubjects within the realm of *England*, *Ireland*, and *Wales*, or upon the main ſea, ſhall be adjudged and

ITEM pur ceo qe devaunt ces heures diverſes gentz compriſez deinz les trieues ſibien faitz par noſtre ſeignur le Roy qore eſt come par ſon treſnoble pier et auxi autres diverſes gentz aiantz ſaufconduitz ſibien de noſtre dit ſeignur le Roy qore eſt come de ſon dit treſnoble pier ount eſtez aſcuns tueez aſcuns robbes & deſpoillez par les lieges & ſubgitz de Roy ſibien ſur le haut mer come deinz les portz & coſtes de meer dEngleterre dIrland & de Gales parount les ditz trieues & ſaufconduitz ount eſte rumpez & offenduz a graunde diſhonure & deſclaundre de Roy & encountre ſa dignite. Et les ditz tuers des hommes robbours ſpoilleurs & offendours de les ditz trieues & ſaufconduitz du Roy come deſſuis eſte declaree ount eſte par diverſes lieges & ſubgitz de Roy deinz les coſtes de diverſes countees recettez abettez procurez counſeillez loueez ſuſtenez & maintenuz. Noſtre dit ſeignur le Roy del advis & aſſent ſuiſditz & al priere des dites communes ad ordeine & declaree qe tielx tuerie robberie eſpoillerie rumperie des trieues & ſaufconduitz de Roy & voluntaries receit abettement procurement counſeill louere ſuſtenance & maintenance de tielx perſones affaires en temps avenir par aſcuns des lieges & ſubgitz de Roy deinz les roialmes dEngleterre dIrland & Gales

Breaking of truce and ſafe conducts ſhall be high treaſon.
Rep. 20 H. 6. c. 11.
1 Ed. 6. c. 12.
1 M. ſeſſ. 1.

Gales ou ſur le haut meer ſoient adjuggez & determinez pur haut treſon fait encountre la corone & dignite de Roy. Et qe en cheſcun port de meere ſoit faite & aſſigne defore enavaunt par le Roy par ſez lettres patentz un loial homme appelle conſervatour des trieues & ſaufconduitz de Roy qi eit xl. liverees du terre par an a meyns. Et qe le dit conſervatour eit poair & auctorite par les ditz lettres patentz & auxi par commiſſion del admiral dEngleterre denquerer de toutz tielx treſons & offenſes affairez encountre les trieues & ſaufconduitz de Roy ſur le haut meere hors des corps des countees & hors del fraunchiſe des cink portz de Roy come les admiralles des Roys dEngleterre devant ces heures reſonablement ſolonc launcien cuſtume & leye ſur le meere uſez ount faitz ou uſez. Et enſement qe le dit conſervatour eit autiele & meſme le poair de punir toutz ceux qi ſount ou ſerrount enditez ou accuſez devaunt luy ſibien a ſuyte de Roy come a ſuyt de partie daſcune choſe affaire encountre les trieues & ſaufconduitz de Roy ſur le haut meere hors des corps des countees & libertees de roialme dEngleterre & hors de le dit fraunchiſe de cynk portz par tieles proces examination proves determination juggement & execution come les admiralles des Roys dEngleterre devant ces heures reſonablement ſolonc launcien cuſtume & ley ſur la meer uſez ount faitz ou uſez.

Forſqe qe la determination de mort de homme ceſt partie & lexecution dicell ſoient tutditz reſervez a dit admirall ou

and determined for high treaſon done againſt the King's crown and his dignity. (4) And in every port of the ſea ſhall be made and aſſigned from henceforth by the King, by his letters patents, one lawful man called a conſervator of the truce and the King's ſafe conducts, which ſhall have forty pounds lands by the year at the leaſt. (5) And that the conſervator have power and authority by the ſaid letters patents, and alſo by commiſſion of the admiral of *England*, to inquire of all ſuch treaſons and offences to be done againſt the truce and ſafe conducts upon the main ſea, out of the body of the counties, and out of the franchiſes of the five ports of the King, as the admirals of the Kings of *England* before this time reaſonably, after the old cuſtom and law on the main ſea uſed, have done or uſed. (6) And alſo that the ſaid conſervator have like and the ſame power to puniſh all them which be or ſhall be indicted or accuſed before him, as well at the King's ſuit as at the party's, of any thing to be done againſt the truce and the King's ſafe conducts upon the main ſea, out of the body of the counties and liberties of the realm of *England*, and out of the franchiſe of the five ports, by ſuch proceſs, examination, proofs, determination, judgment, and execution, as admirals of the Kings of *England* before this time reaſonably, according to the old cuſtom and law upon the main ſea uſed, have done or uſed.

A conſervator of the truce ſhall be appointed in every port of the ſea.

The authority of the conſervator of the truce.

II. Saving the determination of the death of a man in this behalf, and the execution of the

The determination of the death of a man excepted out

of the conſervator's authority.

the ſame, ſhall be always reſerved to the ſaid admiral, or to his general lieutenant out of the ſaid franchiſes of the five ports. (2) And that the ſaid conſervator have full power and authority to inquire, as well within liberties and franchiſes as without, by men inhabiting within the body of the county and liberty where the ſaid port is, of all ſuch treaſons and offences to be done againſt the truces, and againſt the King's ſafe conducts, within the body of the county and liberty where the ſaid port is, (3) and to make againſt thoſe perſons before him ſo indicted, ſuch proceſs as here followeth, that is to ſay, by *Capias* and *Exigent*, which ſhall as well go into the counties of which ſuch men ſo indicted be ſuppoſed to be, as into the counties where ſuch indictments be taken; (4) which *Capias* and *Exigent* aforeſaid in both counties ſhall be returned at one day, and that the firſt *Capias* in both counties have day of return by a month at the leaſt: (5) and in caſe that the *Capias* and *Exigent* be awarded in this behalf, that the names and ſurnames of ſuch perſons ſo indicted, and the town and the county, and myſtery whereof they be, ſhall be ſpecified and declared in the indictments and proceſſes of the ſame. (6) And that the ſaid conſervator have full power to hear, at every man's ſuit which will complain before himſelf, or his lieutenant, of any offence done to the party againſt the ſaid truces and ſafe conducts. (7) And that two men learned in the law be named and aſſociate in every commiſſion of our lord the King to be made

Proceſs to be awarded againſt thoſe that be indicted.

The additions of the parties indicted ſhall be inſerted.

Two men learned in the law ſhall be aſſociate in the conſervator's commiſſion.

a ſon lieutenant general hors de la dit franchiſe des ditz cink portz. Et qe le dit conſervatour eit plein poair & auctorite denquerer ſibien deinz libertees & franchiſes come dehors par gentz enhabitantz deinz le corps de countee & libertee ou le dit port eſt de toutz tielx treſons & offenſes affaires encountre les trieues & ſaufconduitz de Roy deinz les corps de countee & liberte ou le dit port eſt & de fair envers tieux a enditerz devaunt luy proces en la fourme enſuant ceſtaſſavoir par Capias & Exigendes qi iſſeront ſibien en meſmes les countees des quelles eſt ſuppoſe tieux enditez eſtre come en les countees lou tieux enditementz ſont priſez les queux Capias & Exigendes en ambideux countees ſoient returnables a un meſme jour & qe le primer Capias en ambideux countees eit jour de retourne par un moys a meyns & en cas qe Capias & Exigendes ſoient ceſte partie agardes qe les nouns & ſurnouns de tieux a enditurs & la ville & de counte & la miſtiere dont ils ſont ſoient eſpecifiez en lenditementz & en les proceſſes dicelles. Et qe le dit conſervatour eit plein poair doier a ſuyte de queconqe qi ſoi voudra pleindre devaunt luy daſcune offenſe a la partie fait encountre les ditz trieues & ſaufconduitz. Et qe deux hommes appriſez de ley ſoient nomez & aſſociez en cheſcune commiſſion de Roy affaire a tiel conſervatour. Et qe le dit conſervatour & les ditz hommes appriſez de ley en la dite commiſſion a luy aſſociez eient plein poair & auctorite de fair due deliverance ſolonc la ley de la terre de tielx enditez devant le dit conſerva-

tour des choſes affairez deinz le corps de countee ou libertee ou le dit port eſt encountre les ditz trieues & ſaufconduitz de Roy & determiner tieux ſuytes commencez a ſuyt de qiconqe partie qi ſoy voudra pleindre devaunt le dit conſervatour daſcune offenſe a luy fait encountre les ditz trieues & ſaufconduitz & ent due redreſſe & remedie faire. Et qe les ditz deux hommes iſſint a le dit conſervatour aſſociez ſoient aſſiſtentz & entendantz a dit conſervatour pur faire les deliverances & determination en manere & fourme avauntditz qant ils ſount par le dit conſervatour reſonablement requis. Et qe le dit conſervatour & les ditz deux hommes de ley ſoient jurrez qils ne null de eux prendra ou prendront de nully ſinoun de Roy fee doun louere gage regarde ne brocage en aſcun manere celle partie en deſtourbance de due inquiſition & puniſſement de tielx traitours & offendours avauntditz. Et qe le dit conſervatour ſerra reſeant en le port & lieu ou il ſerra aſſigne conſervatour come avaunt eſt dit. Et prendra cheſcun conſervatour pur le dit office cheſcun an xl. li. de Roy a meyns. Et qils ſoient jurrez qe ſi aſcune perſone de quele condition ou eſtat qil ſoit eux ou aſcune de eux procure excite ou abette de faire aſcun choſe a contrarie diceſte ordinance & le ſerement avauntdit qe cheſcun de eux ferra due relation a noſtre ſeignur le Roy ou a la chanceller dEngleterre pur le temps eſteant ſi haſtiment come bonement purra ſaunz concellement en aſcun point ſur peine dempriſonement & faire fyn & ranceon a vo-

to ſuch conſervator. And that the ſaid conſervator, and the ſaid men learned in the law, in the commiſſion to him aſſociate and aſſigned, ſhall have full power and authority, to make deliverance, according to the law and uſage of the land, of ſuch men ſo indicted before the ſaid conſervator, of things to be done within the body of the county or liberty where the ſaid port is, againſt the ſaid truce and the King's ſafe conducts, and to determine ſuch ſuits commenced at any man's ſuit which will complain before the ſaid conſervator, of any offence done to him againſt the ſaid truce and ſafe conducts, and thereof to make due redreſs and remedy. (8) And that the ſaid two men to the ſaid conſervator ſo aſſociate, be aſſiſting and attending to the ſaid conſervator to make the deliverances and determination in the manner and form aforeſaid, when they be by the ſaid conſervator reaſonably required. (9) And that the ſaid conſervator, and the ſaid two men of law, be ſworn, that they, nor none of them, ſhall take fee, gift, hire, wages, reward, or brokage, of any other than of the King in any wiſe in this behalf, in hinderance of due execution and puniſhment of ſuch traitors and offenders aforeſaid. (10) And that the ſaid conſervator ſhall be reſiant in the port and places where he ſhall be conſervator aſſigned as aforeſaid; (11) And every conſervator ſhall take yearly for the ſaid office forty pounds of the King at the leaſt; (12) and that they be ſworn, that if any perſon, of what eſtate or condition ſoever he be, procure, excite,

The authority of the conſervator and the two aſſociates.

The oath of the conſervator and aſſociates.

excite, or abet them, or any of them, to do any thing contrary to this ordinance and oath aforeſaid, that every of them ſhall make due relation to our ſovereign lord the King, or to the chancellor of *England* for the time being, as ſpeedily as he well may, without concealment in any point, upon pain of impriſonment, and to make fine and ranſom at the King's pleaſure. (13) And that the ſaid conſervator have a ſeal of our lord the King ordained for the ſaid office. (14) And that the maſter of the ſhip, barge, or balinger, or other veſſel in the ſaid port, be ſworn, and the poſſeſſor alſo, if he be preſent, before the ſaid conſervator, before that he paſs out of the ſaid port, that he ſhall not attempt to do any thing againſt the ſaid truce and the King's ſafe conducts. (15) And alſo that the ſaid conſervator ſhall cauſe to be inrolled of record before him, as well the names of ſuch owners and maſters, as the names of their ſhip, barge, balinger, or other veſſel, together with the number of the mariners in the ſame being. (16) And if they take any thing of the King's enemies, or of any others, they ſhall cauſe to be brought ſuch things taken into the port, and thereof make full information to the ſaid conſervator, before that they thereof make diſcharge or ſale; if it be not that by force of wind, tempeſt, or of enemies, or ſome other reaſonable cauſe, ſuch ſhip, barge, balinger, or other veſſel, muſt enter into another port for the preſervation of the ſame veſſel, or other cauſe reaſonable; and that then they ſhall make full information to the

The conſervator ſhall have a ſeal.

The office of the maſter and poſſeſſor of a ſhip.

What ſhall be inrolled by the conſervator.

The conſervator ſhall be informed of all things taken from the King's enemies by the mariners.

voluntee noſtre ſeignur le Roy. Et qe le dit conſervatour eit un ſeal de Roy ordeigne pur le dit office. Et qe le maiſtre de nief barge balenger ou autre veſſell en le dit port ſoit jurre & le poſſeſſour auxi ſil ſoit preſent devaunt le dit conſervatour avaunt qil paſſe hors de dit port qil nattemptera riens encontre les ditz trieues & ſaufconduitz de Roy. Et qe le dit conſervatour face enroller de record devaunt luy ſibien les nouns de tielx poſſeſſours & maiſtres come les nouns de lour nief barge balengere ou autre veſſell enſemble oveſqe le nombre des mariners en icell eſteantz. Et ſils preignent riens des enemys de Roy ou dautres qiconqes qils tiele priſe ferrount ameſner en le dit port & ent ferrount pleine enformation a dit conſervatour devaunt qils ent facent deſcharge ou vende ſi ne ſoit qe par force de vent de tempeſt ou des enemys ou autre cauſe reſonable tiel nief barge balengere ou autre veſſell doit entrer en autre port pur ſalvation de meſme le veſſell ou autre cauſe reſonable. Et qils adonqes facent plein enformation a dit conſervatour ou a le conſervatour de le port en quell les ditz veſſelx arriveront ou entreront de la dite priſe & de la quantite dicelle pregnant lettre teſtimoniale ſoutz le dit ſeal de le dit conſervatour par quele le conſervatour de le port dount les veſſeux ou veſſell iſſeront ou iſſit purra avoir notice de la quantite & value des biens iſſint priſez. Et ſi aſcun poſſeſſour ou meſtre daſcun nief ou autre veſſell iſſe hors daſcun port du roialme ou face deſcharger ſon nief ou veſſell encountre la fourme diceſte ordinance,

nance qe tiel nief ou veſſell enſemble oveſqe la priſe par ycell duement fait ſoit forfaite a Roy & le corps du poſſeſſour ou maiſtre de tiel nief ou veſſell commys a priſone a y demorer tanqe il eit fait fyn & raunceon a Roy.

Purveu qe nulles poſſeſſours des niefs iſſantz hors daſcun port ne face fyn ou ranceon neient empriſonement du corps ſi meſmes les poſſeſſours ne ſoient en meſmes les niefs en temps de meſpriſion encontre ceſte ordenance faite. Et ait le admirall avantdit les forfaitures en toutz caſes hors de la dite franchiſe de cynk portz avantditz come il ad eu & ad eſte accuſtume de droit al office del admirall dEngleterre avant la feſance de ceſte ordeignance. Et qe toutz tieux conſervatours affairez dedeinz les ditz cynk ports eient meſme lauctorite & poair par lettres patentz du Roy & commiſſion del gardein de meſmes les ports pur le temps eſteant denquerer de tielx offenſes affaires ſur le haute meer dedeinz les fraunchiſes des ditz cynk ports dehors les corps des countees & de punir toutz ceux qi ſerront devant ycell conſervatour de meſmes les offenſes enditez ou accuſez par autiels proces examination proves determination juggement & execution come les ditz admiralx reſonablement ſolonc launcien cuſtume & ley ſur le meer uſez ont faitz & uſez hors de la dite franchiſe de cynk ports forſqe qe la determination de mort de homme celle partie & lexecution dicell ſoient dedeinz meſme la franchiſe de les cynk ports reſervez a dit gardein ou a ſon lieutenant general illoeqes. Et qe meſme

the ſaid conſervator, or to the conſervator of the port in which the ſaid veſſels arrive or enter, of the prize, and of the quantity of the thing, receiving a letter teſtimonial under the ſaid ſeal of the aforeſaid conſervator, by the which the conſervator of the ſaid port, whereof the veſſel or veſſels ſhall go out, may have notice of the quantity, and alſo of the value of the goods and chattles ſo taken. (17) And if any poſſeſſor or maſter of any ſhip or other veſſel, go out of any port of the realm of *England*, or diſcharge his ſhip or veſſel againſt the form of this ordinance, that ſuch ſhip or veſſel, together with the prize taken in the ſame duly made, ſhall be forfeit to the King, (18) and the body of the poſſeſſor or maſter of ſuch ſhip or veſſel committed to priſon, there to remain until he hath made a fine and ranſom to the King.

III. Provided always, That no poſſeſſors of ſhips going out of any port ſhall make any fine nor ranſom, or have impriſonment of body, if the ſame poſſeſſors be not in the ſame ſhips at the time of the offence committed againſt this ordinance.

What forfeitures the admiral ſhall have.

(2) And the ſaid admiral ſhall have the forfeitures in all caſes out of the ſame franchiſe of five ports aforeſaid, as he hath had, and hath been accuſtomed of right to the office of the admiral of *England*, before the making of this ordinance.

The authority of the conſervators within the five ports.

(3) And that all ſuch conſervators to be made within the ſaid five ports have the ſame authority and power by the King's letters patents, and commiſſion of the warden of the ſame ports for the time being, to inquire

of ſuch offences to be done upon the main ſea within the franchiſes of the five ports out of the body of the counties, and to puniſh all them which ſhall be before the ſaid conſervator of the ſame offences indicted or accuſed, by like proceſs, examination, proofs, determination, judgment, and execution, as the ſaid admirals reaſonably, according to the old cuſtom and law upon the ſea uſed, have done and uſed out of the ſaid franchiſe of the five ports; (4) ſaving that the determination of the death of a man in this behalf, and the execution of the ſame, ſhall be within the ſame franchiſe of the five ports reſerved to the ſaid warden, or to his general lieutenant there; (5) and that the ſame warden ſhall have all the forfeitures there, in all ſuch caſes as he hath had, and have been accuſtomed of right to the office of the warden of the five ports aforeſaid before this time; and that the ſaid conſervators, and every of them, have power to make full execution of this ordinance in the form aforeſaid. And this ordinance ſhall hold place and force, for any thing to be done or attempted againſt this ſame ordinance, after the proclamation of this ordinance and declaration made.

meſme le gardein eit toutz les forfaitures illoeqes en toutz cas come il ad eu & ad eſtee accuſtumee de droit al office du gardein des cynk ports ſuiſditz avant ceſtes heures. Et qe les dites conſervatours & cheſcun de eux eient & ait poair de faire pleine execution diceſte ordinance en la fourme avantdite. Et qe ceſte ordeignance tiegne lieu & force pur choſe affaire ou attempter encontre meſme lordinance apres la proclamation diceſte ordinance & declaration faite.

The warden of the five ports ſhall have all the forfeitures there.

14 H. 6. c. 8.
29 H. 6. c. 2.

CAP. VII.

The intent of the hereticks called Lollards. *Magiſtrates ſhall aſſiſt the ordinaries in extirpating hereſies and puniſhing hereticks. Penalty on hereticks convict.*

Ex edit. Raſt. Hereſy. Lollardry. 3 Inſt. 40, 43. 4 Inſt. 51.

ITEM, *for as much as great rumours, congregations and inſurrections, here in the realm of* England *by divers of the King's liege people, as well by them which were of the ſect of hereſy commonly called Lollardry, as by other of their confederacy, excitation, and abetment, now of late were made, to the intent to adnull, deſtroy, and ſubvert the chriſtian faith, and the law of God and holy church within this ſame realm of* England, *and alſo to deſtroy the ſame our ſovereign lord the King and all other manner of eſtates of the ſame realm of* England, *as well ſpiritual as temporal, and alſo all manner of policy, and finally the laws of the land: the ſame our ſovereign lord the King, to the honour of God, and in conſervation and fortification of the chriſtian faith, and alſo in ſalvation, of his royal eſtate, and of the eſtate of all his realm, willing againſt the malice of ſuch hereticks and Lollards to provide a more open remedy and puniſhment than hath been had and uſed in the caſe heretofore, ſo that for fear of the ſame laws and puniſhment, ſuch hereſies and lollardries may the rather ceaſe in time to come, by the advice and aſſent aforeſaid, and at the prayer of the ſaid commons,* hath ordained and eſtabliſhed: That firſt the chancellor, treaſurer, juſtices,

juſtices of the one bench and of the other, juſtices of peace, ſheriffs, mayors, and bailiffs of cities and towns, and all other officers, having governance of people, which now be or hereafter for the time ſhall be, ſhall make an oath in taking of their charges and occupations, to put their whole power and diligence, to put out and do to be put out, ceaſe, and deſtroy all manner of hereſies and errors, commonly called Lollardries, within the places where they exerciſe their offices and occupations from time to time, with all their power, and that they aſſiſt the ordinaries and their commiſſaries, and them favour and maintain as often as they or any of them to that ſhall be required by the ſame ordinaries or their commiſſaries, ſo that when the ſaid officers and miniſters travel or ride to arreſt any Lollard, or to make aſſiſtance at the inſtance and requeſt of the ordinaries or their commiſſaries by virtue of this ſtatute, That the ſame ordinaries and commiſſaries ſhall pay for their coſt reaſonably. And that the King's ſervices, to the which the ſame officers be firſt ſworn, be preferred before all other ſtatutes for the liberty of holy church and the miniſters of the ſame, and in eſpecial for the correction and puniſhment of the hereticks and Lollards before this time made and not repealed being in their force. And alſo that all perſons convict of hereſy, of what eſtate, condition, or degree that they be, by the ſaid ordinaries or other commiſſaries left to the ſecular power according to the laws of holy church, ſhall loſe and forfeit all their lands and tenements, which they have in fee ſimple in the manner as followeth; that is to ſay, That the King have all the lands and tenements, which the ſaid convicts have in fee ſimple, and holden of him immediately as forfeit, and that the other lords, of whom the lands and tenements of ſuch convicts be holden immediately after that the King is ſo ſeiſed and anſwered of the year the day and the waſte, have livery out of the King's hands of the lands and tenements aforeſaid of them ſo holden, as it hath been uſed in the caſe of attainder of felony, *except the lands and tenements which be holden of the ordinaries or their commiſſaries, before whom any ſuch perſons impeached of hereſy be convict, which lands and tenements intirely ſhall remain to the King as forfeit.* And moreover that all the goods and chattels of theſe perſons ſo convicted, be forfeit to our ſovereign lord the King, ſo that no perſon convict of hereſy, and left to the ſecular power after the laws of holy church, ſhall forfeit his lands before that he be dead. And if any ſuch perſon ſo convict, be infeoffed be it by fine, by deed, or without deed, in lands or tenements, rents or ſervices in fee or otherwiſe, or hath any other poſſeſſions or chattels by gift or grant of any perſon or perſons to another's uſe, than to the uſe of ſuch convicts, That the ſame lands nor tenements, rents nor ſervices, nor ſuch other poſſeſſions, nor chattels ſhall be forfeit to our ſovereign lord the King in no wiſe. And moreover that the juſtices of the king's bench, and juſtices of peace, and juſtices of aſſiſe, have full power to enquire of all them which hold any errors or hereſies, as Lollards, and which be their maintainers, receivers, favorers and ſuſtainers, common

Juſtices of peace

writers of ſuch books, as well of the ſermons as of their ſchools, conventicles, congregations, and confederacies. And that this clauſe be put in commiſſions of the juſtices of the peace. And if any perſons be indited of any points aforeſaid, the ſaid juſtices ſhall have power to award againſt them a *Capias*, and the ſheriff ſhall be bound to arreſt the perſon or perſons ſo indited as ſoon as he may them find by him or by his officers. *And for as much as the coniſance of hereſy, errors, and lollardries belongeth to the judges of holy church, and not to ſecular judges:* ſuch perſons indited ſhall be delivered to the ordinaries of the places or to their commiſſaries, by indentures betwixt them to be made, within x. days after their arreſt, or ſooner if it may be thereof to be acquit or convict by the laws of holy church, in caſe that theſe perſons be not indited of any other thing, whereof the coniſance belongeth to the ſecular judges and officers, in which caſe, after that that they be acquit or delivered before the ſecular judges of ſuch things, to the ſecular judges belonging, they ſhall be ſent in ſafeguard to the ſaid ordinaries, or to their commiſſaries, and to them delivered by indentures, as before to be acquit or convict of ſuch lollardries, errors, or hereſies, as is aforeſaid, after the laws of holy church, and that within the term aforeſaid. *Provided always That the ſaid indictments be not taken in evidence, but for information before the ſpiritual judges againſt ſuch perſons ſo indicted, but that the ordinaries commence their proceſs againſt ſuch perſons indicted in the ſame manner as though no indictment were, having no regard to ſuch indictments.* And if any be indicted of hereſy, error, or lollardry, and taken by the ſheriff or other officer, he ſhall be let to mainpriſe within the ſaid x. days by good ſurety, for whom the ſaid ſheriffs or other officers will anſwer, ſo that the ſaid perſon or perſons, which were ſo indicted, be ready to be delivered to the ſaid ordinaries or to their commiſſaries before the end of the ſaid ten days, if he may by any means for ſickneſs. And every ordinary ſhall have ſufficient commiſſaries or commiſſary dwelling in every county in a place notable, ſo that if any ſuch perſon ſo indicted be taken, that the ſaid commiſſaries or commiſſary may be warned in the notable place where he dwelleth, by the ſheriff or ſome of his officers, to come to the King's gaol in the ſame county, there to receive the ſame perſon ſo indicted by indentures as before. And that in the inqueſt in this caſe to be taken, the ſheriffs and other officers, to whom it belongeth ſhall do to be impaneled good and ſufficient perſons, not ſuſpected nor procured, that is to ſay, That every of them which ſhall be ſo impaneled in ſuch inqueſt, have within the realm of *England* an hundred ſhillings of lands, tenements, or of rent by year, upon pain to loſe to the King's uſe ten pound, and they which ſhall be impaneled in ſuch inqueſts in *Wales*, every of them ſhall have to the value of xl.s. by year. And if any ſuch perſon be arreſted, be it by the ordinary or by the King's officers or miniſters, and eſcape or break the priſon before that he be acquit before the ordinary, the goods, and chattels, which he had the day of ſuch arreſt, ſhall be forfeit to the King and his lands and tenements, which

Sheriff.

Coniſance of hereſy.

Mainpriſe.

which he had the ſame day, ſeiſed alſo into the King's hands, the King ſhall have the profits thereof from the ſaid day until he be yielded to the priſon from which he eſcaped. And that the foreſaid juſtices have full power to enquire of all ſuch eſcapes, breaking of priſon, and alſo of lands and tenements, goods, and chattels of ſuch perſons ſo indicted. *Provided alſo, That if any ſuch perſon indicted do not return to the ſaid priſon, and dieth not convict, it ſhall be lawful to his heirs to enter into the lands and tenements of their anceſtor, without any other purſuit making to the King for this cauſe*, and that all they which have liberties and franchiſes royal in *England*, as in the county of *Cheſter*, the county and liberty of *Durham*, and other like, and alſo all the lords which have juriſdiction and franchiſes royal in *Wales*, where the King's writs do not run, have power to execute and put in due execution theſe articles in all points by them or by their officers, in like manner as the juſtices and other the King's officers before declared ſhould do.

5 R. 2. ſtat. 2. c. 5.
2 H. 4 c. 15.
25 H. 8. c 14. Repealed by 1 Ed. 6. c. 12. 1 Eliz. c. 1.

CAP. VIII.

Commiſſions ſhall be awarded to enquire of a riot, and of the juſtices default therein.

ITEM come contenu ſoit en leſtatut fait lan treſziſme del treſnoble Roy HENRY piere a noſtre ſeignur le Roi qore eſt entre autres qe ſi aſcun riote aſſemblee ou route des gentz encontre la leye ſe feroit in aſcune partie de roialme adonqes les juſtices du pees trois ou deux de eux au meyns & le viſcont ou ſoutz-viſcont de counte ou tiele riote aſſemble ou route ſe ferroit enapres viendrent ove le poair du dit counte ſi boſoigne ſerroit pur eux areſter & eux areſtrent & euſſent meſmes les juſtices viſcount ou ſouth-viſcount poair de recorder ceo qils troverent enſi fait en lour preſence encountre la leie et qe par le record de meſmes les juſtices viſcount ou ſouthviſcount ſerroient tielx treſpaſſours ou malfeſours convictz en manere & fourme come eſt contenu en leſtatut de forcibles entrees. Et ſil aviendroit qe tielx treſpaſſours & malfeſours fuiſſent departiez devaunt le venue des ditz juſtices &

A rehearſal of the ſtatute of 13 H 4. c. 7. provided againſt thoſe that commit any riot, rout, or unlawful aſſembly.

ITEM, *whereas it is contained in the ſtatute made the thirteenth year of the noble King* HENRY, *father to our lord the King that now is, amongſt other things, That if any riot, aſſembly, or rout of people againſt the law be made in any part of the realm, then the juſtices of the peace, three or two of them at the leaſt, and the ſheriff or under-ſheriff of the county where ſuch riot, aſſembly, or rout ſhall be made hereafter, ſhould come with the power of the ſaid county, if need were, to arreſt them, and them ſhould arreſt*; (2) *and the ſame juſtices, ſheriff, or under-ſheriff, ſhould have power to record that which they found ſo done in their preſence againſt the law*; *and that by record of the ſame juſtices, ſheriff, or under-ſheriff, ſuch treſpaſſers or offenders ſhould be convict in manner and form as is contained in the ſtatute of forcible entries.* (3) *And if it happen that ſuch treſpaſſers or offenders were departed before the coming of the juſtices, ſheriff, or under-ſheriff, that the ſame juſtices, three or two of*

of them ſhould diligently inquire within a month after ſuch riot, aſſembly, or rout of people ſo made, and the ſame hear and determine according to the law of the land; (4) *and if the truth could not be found in manner as afore is ſaid, within a month then next enſuing, the ſaid juſtices, three or two of them, and the ſheriff or under-ſheriff, ſhould certify before the King and his council all the deed and circumſtance of the ſame*; *which certificate ſhall be of like force as the preſentment of twelve men, upon which certificate the ſaid treſpaſſers and offenders ſhall be put to anſwer*, (5) *and they which be found guilty, ſhould be puniſhed according to the diſcretion of the King and his council.* (6) *And moreover, that the juſtices of peace dwelling neareſt in every county where ſuch rout, aſſembly, and riot of people ſhould be made hereafter, together with the ſheriff or under-ſheriff of the ſame counties, and alſo the juſtices of aſſiſes for the time that they ſhall be in their ſeſſions, in caſe that any ſuch riot, aſſembly, or rout be made in their preſence, ſhall make execution of this ſtatute, every one of them upon pain of an* C. li. *to be paid to the King, as often as they ſhall be found in default of execution of the ſame ſtatute.* (7) *And foraſmuch as many riots, routs, and aſſemblies have been made in divers parts of the realm, ſince the making and proclamation of the ſame ſtatute, becauſe that the ſame ſtatute hath not been put in due execution, as our ſovereign lord the King hath perceived by divers and grievous complaints to him made in this preſent parliament*; (8) the ſame our lord the King, willing hereof to provide a better remedy, by the advice and aſſent aforeſaid, and at the ſuit of the ſaid commons,

& viſcont ou ſouthviſcont qe meſmes les juſtices trois ou deux de eux enquergerent diligealment deins un moys apres tiel riote aſſemble ou route des gentz enſi faitz & ent oierent & terminerent ſolonc la leye de la terre et ſi la verite ne purroit eſtre trove en maner come devant eſt dit adonqes deins un moys lors proſchein enſuant certifierent les ditz juſtices trois ou deux de eux & le viſcount ou ſouth-viſcount ſuiſditz devant le Roy & ſon conſeil tout le fait & les circumſtances dicell quell certificat ſoit de autiel force come la preſentement de xij. ſur quel certificat ſoient les ditz treſpaſſours & malfeſours mys a reſpons & ceux qi ſont trovez coupables ſoient puniz ſolonc la diſcretion du Roy & de ſon dit conſeil. Et outre ceo qe les juſtices de la pees demorantz le pluis proſchein en cheſcun countee ou tiel route aſſemble ou riote de gentz ſe ferroit en apres enſemblement oveſqe le viſcont ou ſouth-viſcount de meſme les countees & auxi les juſtices daſſiſes pur le temps qils ſerront en lour ſeſſions en cas qe aſcun tiel riote aſſemble ou route ſe ferroit en lour preſence ferroient execution de ceſt eſtatut cheſcun ſur peine de C. li. appaierez au Roi atantz de foitz qils ſerroient trovez en defaute del execution de meſme leſtatut. Et pur tant qe pleuſeurs riotes routes & aſſemblees ont eſte faitz en diverſes parties du roialme puis la confection & proclamation du dit eſtatut a cauſe qe meſme leſtatut nad mye eſte mys en due execution come noſtre treſſoverain ſeignur le Roi lad concieu par diverſes & hidouſes complaintz a

luy

luy faitz en ceſte preſent parlement meſme noſtre ſeignur le Roy voillant ſur ceo faire pluis greindre remedie del advys & aſſent avantditz & al priere des ditz communes ad ordeigne & eſtablie qe ſi defaute ſoit trovee en les ditz deux juſtices de la pees ou juſtices daſſiſes & le viſcount ou ſoutz-viſcount del countee ou tiel riote aſſemble ou route ſe ferra touchant lexecution qils doient faire par vertue del dit eſtatut & dont meſme leſtatut fait mention qadonques al inſtance de la partie grevee iſſera commiſſion le Roy deſouz ſon graunt ſeal denquerer ſibien de la veritee del cas & de la matier originale pur la partie compleignante come de le defaute ou defautes des ditz juſtices viſcount ou ſoutz-viſcount celle partie ſuppoſez a adreſſer as ſufficeantz perſones indifferentz a la nomination & advis du chaunceller dEngleterre & qe les ditz commiſſioners meintenant envoient en la chauncellerie les enqueſtes & matiers devant eux celle partie priſez & trovez. Et outre ceo qe les coroners de meſme le countee pur le temps eſteantz ou tiel riote aſſemble ou route ſe ferra ferront les panelles ſur la dite commiſſion retournables pur le temps qe le viſcount iſſint en defaute ſuppoſee eſtoiſe en ſon office les quelles coroners retourneront nulles perſones mes tielx qe ont terres tenementz ou rent a le value de x. li. par an a meyns. Et auxi qe meſmes les coroners retourneront ſur cheſcun des dites perſones a empanellerz a le primer jour qant iſſuez ſont a perdrez xx.s. au meyns & a ſeconde jour xl.s. a meyns & a tierce jour C.s. a meyns & a cheſcun

commons, hath ordained and ſtabliſhed, That if default be found in the ſaid two juſtices of the peace, or juſtices of aſſiſes, and the ſheriff or under-ſheriff of the county, where ſuch riot, aſſembly, or rout ſhall be made, touching the execution that they ought to make by virtue of the ſaid ſtatute, and whereof the ſaid ſtatute maketh mention, that then at the inſtance of the party grieved, the King's commiſſion ſhall go out under his great ſeal, to inquire as well of the truth of the caſe, and of the original matter for the party complainant, as of the default or defaults of the ſaid juſtices, ſheriff, or under-ſheriff, in this behalf ſuppoſed, to be directed to ſufficient and indifferent perſons, at the nomination and by the direction of the chancellor of the realm of *England*; (9) and that the ſaid commiſſioners preſently ſhall return into the chancery the inqueſts and matters before them in this behalf taken and found; and moreover, that the coroners of the ſame county for the time being, in which county ſuch riot, aſſembly, or rout ſhall be made, ſhall make the panel upon the ſaid commiſſion returnable for the time that the ſheriff ſo ſuppoſed in default ſhall continue in his office, (11) which coroners ſhall return no perſons, but only ſuch which have lands, tenements, or rents to the value of x l. by year at leaſt; (12) and alſo that the ſame coroners ſhall return upon every of the ſaid perſons empanelled at the firſt day when iſſues be to be loſt, xx s. at the leaſt, and at the ſecond day xl. s. at the leaſt, and at the third day C. s. at

Commiſſions ſhall be awarded to inquire of the riot, and of the juſtices and ſheriffs defaults. 4 Inſt. 184.

Upon the commiſſion the coroners ſhall return the inqueſt, and of what ſufficiency the jurors ſhall be.

What iſſues the coroners ſhall return upon the jurors, and upon what penalty.

at the leaſt, and at every day after the double at the leaſt; which iſſues ſo returned by cauſe of non-appearance of ſuch perſons empanelled, ſhall be adjudged as forfeit to the King, and leviable to his uſe; (13) and if default be found in the ſaid coroners, touching the return of ſuch perſons to be empanelled, or touching the return of ſuch iſſues, as afore is ſaid, that every of them ſhall forfeit to the King's uſe forty pounds; (14) and if it happen that the ſaid ſheriff ſo reputed in default, be diſcharged of his office at the time that ſuch commiſſion ſhall be awarded out of the chancery, that then the new ſheriff of the ſame county, his ſucceſſor mediate or immediate for the time being, and not the coroners of the ſame county, ſhall make the panel upon this commiſſion returnable in manner and form, as the ſaid coroners ſhould do in time when the ſheriff ſo reputed in default continued in his office; (15) and that the ſame new ſheriff ſhall incur like pain of forty pounds to the King, if any default in him be found touching the return of other perſons by him empanelled, which have not lands, tenements, or rents to the value of ten pounds by year, or of returning ſuch iſſues which the ſaid coroners be above charged to return, as the ſaid coroners are to loſe to the King in this behalf. (16) And that the chancellor of *England* for the time being, as ſoon as he may have knowledge of ſuch riot, aſſembly, or rout, ſhall cauſe to be ſent the King's writ to the juſtices of the peace, and to the ſheriff or under-ſheriff of the county

Where the ſherjff and not the coroners ſhall return the jury.

A writ directed out of the chancery to inquire of riots.

cun jour apres le double au meyns les queux iſſues iſſint retournez par cauſe de non apparence de tielx empanellez ſerront ajuggez come forfaitz au Roi & a ſon oeps levables. Et ſi defaute ſoit trove en les ditz coroners touchant le retourne de tielx gentz a empanellerz ou touchant le retourne dautielx iſſues come avant eſt dit qe chefcun de eux perdra al oeps le Roi xl. li. Et ſil aveigne qe le dit viſcount enſi rette en defaute ſoit deſcharge de ſon office a temps qe tiel commiſſion iſſera hors de la chauncellerie qadonqes le novell viſcount de meſme le counte ſon ſucceſſour immediate ou mediat pur le temps eſteant & nient les coroners de meiſme le countee ferra le panell ſur celle commiſſion retournable en les maner & fourme come les ditz coroners ferront en temps qant le viſcount iſſint rette en defaute eſteit en ſon office. Et qe meſme le novell viſcount encourgera autiele peine de xl. li. envers le Roi ſi aſcun defaute en luy ſoit trovee touchant le retourn dautres perſones par luy a empanellerz qi nont terres tenementz ou rent a le value de x. l. par an ou de retourne dautielx iſſues come les ditz coroners ſont ſuiſchargiez de retournir ſicome les ditz coroners ſont a perdre envers le Roi ceſt partie. Et qe le chaunceller dEngleterre pur le temps eſteant ſi toſt come il purra avoir conuſance dautiel route aſſemble ou riote il face envoier brief le Roi as juſtices de la pees & a viſcont ou ſoutz-viſcont del countee ou ils ſont iſſint faitz qils mettent leſtatut ent fait en execution ſur la peine contenue en ycelle. Et coment qe tiel brief ne veigne

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mye as ditz juſtices & viſcont ou ſoutz-viſcont eux ne ſerront pas excuſez de la peine avantdite ſils ne facent mye execution del eſtatut ſuiſdit.

Purveu qe les juſtices & autres officers ſuiſditz ferront lour offices ſuiſditz as coſtages du Roy en alant demorant & retournant en feſantz lour dites offices per paiement ent affaire par le viſcont de meſme le countee pur le temps eſteant par endentures entre le dit viſcont & les ditz juſtices & autres officers ſuiſditz afaires de le paiement ſuiſdit dont le dit viſcont ſur ſon accompte en leſcheqer purra avoir due allouance. Et qe tielx riotours atteintz de grauntz & haynoſes riotes eient empriſonement dun an entier a meyns ſanz eſtre leſſe hors du priſone par baille mainprys ou en autre maner durant lan ſuiſdit. Et qe les riotours atteintz des petitz riotes eient empriſonement come ſemble melx a Roy ou a ſon conſeill. Et qe les fyns dicelles riotours atteintz ſoient par les ditz juſtices encreſſez & mys a greindres ſommes qils ne ſoloient eſtre mys en tielx caſes devant ces heures en aide & ſupportation de les coſtages des juſtices et autres officers ſuiſditz celle partie. Et qe les lieges du Roy eſteantz ſufficeantz pur travailler en le countee ou tielx routes aſſembles ou riotes ſont ſoient aſſiſtentz as juſtices commiſſioners viſcont & ſoutz-viſcont de meſme le countee qant ils ſerront reſonablement garniz pur chivacher ove les ditz juſtices commiſſioners & viſcont ou ſoutz-viſcont en aide de reſiſtence de tielx riotes routes & aſſemblez ſur peine dempriſonement & faire

county where they be ſo made, that they ſhall put the ſtatute in execution upon the pain contained in the ſame; and though that ſuch writ come not to the ſaid juſtices, ſheriff, or under-ſheriff, they ſhall not be excuſed of the pain aforeſaid, if they make not execution of the ſaid ſtatute.

A riot ſhall be repreſſed and inquired of at the King's charges.

II. Provided always, That the ſaid juſtices, and other officers aforeſaid, ſhall execute their offices aforeſaid at the King's coſts, in going and continuing in doing their ſaid offices, by payment thereof to be made by the ſheriff of the ſame county for the time being, by indentures betwixt the ſheriff and the ſaid juſtices, and other officers aforeſaid, to be made of the payment aforeſaid, whereof the ſaid ſheriff upon his account in the exchequer may have due allowance; (2) and that ſuch rioters attainted of great and heinous riots, ſhall have one whole year's impriſonment at the leaſt, without being let out of priſon by bail, mainpriſe, or in any other manner, during the year aforeſaid; (3) and that the rioters attainted of petty riots ſhall have impriſonment as beſt ſhall ſeem to the King or to his council; (4) and that the fines of ſuch rioters attainted, ſhall be by the ſaid juſtices increaſed and put to greater ſums than they were wont to be put in ſuch caſes before this time, in aid and ſupportation of the juſtices and other officers aforeſaid in this behalf; (5) and that the King's liege people being ſufficient to travel in the county where ſuch routs, aſſemblies, or riots be, ſhall be aſſiſtant to the juſtices, commiſſioners,

The puniſhment of rioters.

Each able perſon ſhall be aſſiſtant to the juſtices and ſheriff to repreſs riots.

miſſioners, ſheriff, or under-ſheriff of the ſame county, when they ſhall be reaſonably warned, to ride with the ſaid juſtices, commiſſioners, and ſheriff, or under-ſheriff, in aid to reſiſt ſuch riots, routs, and aſſemblies, upon pain of impriſonment, and to make fine and ranſom to the King; ( ) and that the bailiffs of franchiſes ſhall cauſe to be impanelled ſufficient perſons as before, upon pain to loſe to the King forty pounds, in caſe that ſuch ſufficient perſons may be found within the ſame franchiſes; (7) and that like ordinances and pains ſhall hold place, and take effect in cities, boroughs, and other places and towns infranchiſed, which have juſtices of the peace within the cities, boroughs, and other places aforeſaid; (8) and that this ſtatute ſhall begin to hold place preſently after the proclamation thereof made.

Bailiffs of franchiſes.

Riots committed in cities, boroughs, and towns corporate.

19 H. 7. c. 13.

faire fyn & ranceon a Roy. Et qe les bailifs des franchiſes facent empaneller ſufficeantz gentz come deſuis ſur peine de perdre ou Roy xl. li. en cas qe tielx perſones ſufficeantz purront eſtre trovez deinz meſmes les franchiſes. Et qe ſemblables ordeignances & peines teignent lieu & force en citees burghs & autres villes & lieux enfranchiſez queux ount juſtices de la pees deins les citees burghs villes & autres lieux ſuiſditz et qe ceſt eſtatut commencera a tenir lieu meintenaunt apres la proclamation ent fait.

CAP. IX.

A remedy to puniſh him that doth commit felony, and flee into an unknown place.

ITEM, *foraſmuch as great and grievous complaints have been made to our ſovereign lord the King, by the commons in this preſent parliament, of divers murders, manſlaughters, robberies, batteries, aſſemblies of people in great number in manner of inſurrection, and of divers other rebellions and riots, and after ſuch offences the ſaid felons and offenders flee, and withdraw themſelves into divers woods and ſecret places and unknown, and elſewhere, to the intent and purpoſe to avoid the execution of the common law, and that they might not be brought to anſwer*; (2) whereupon our ſovereign lord the King, conſidering the aforeſaid complaint, by the advice and aſſent of the lords ſpiritual and temporal in the ſame parliament aſſembled, hath

ITEM pur ceo qe graunde & grevouſe compleint ad eſte fait a Roy noſtre ſoverain ſeignur par les communes en ceſt preſent parlement de diverſes murdres homicides robberies bateries aſſemblees de gentz en graund noumbre par manere d'inſurrection & de diverſes autres rebellions & riotes & apres tieux maffaitz les ditz felons & meffeſoures ſenfuent & retrehent as diverſes boys & lieux covertez & diſconuz & aillours a lentente & purpos de voider lexecution de la commune ley & qils ne ſerroient aſmeſnez a reſpounſe ſelonc proces de la ley ſur quoy noſtre dit ſoverain ſeignur le Roy conſiderant la ſuiſdite compleinte par aſſent des ſeignurs eſpirituelx & temporelx en meſme le parlement aſſem-

aſſemblez ad ordeine & eſtabliz a la requeſte des ditz communes qe ſi aſcuny en temps avenir vieigne en la chauncellarie & face compleint duement qe aſcun tiel felon ou maffeſour come avaunt eſt dit ſen eſt fuy ou retrehet a aſcun tiel lieu ou aillours a lentente ſuiſdit ſoit ſur tiel compleint une bille ſufficiantment fait pur le Roy & ait le chaunceller dEngleterre pur le temps eſteant apres tiele bille a luy liveree ſil poet eſtre enformez duement tiele bille contenir veritee poair de faire ſolonc ſa diſcretion un brief de Capias a la ſuite de Roy direct a viſcount de countee ou countees ou les ditz murdres homicides robberies bateries & autres meffaitz ſont ſuppoſez par la dite bille eſtre faitz & perpetrez retournables en la dite chauncellarie a certein jour. Et ſi les perſones en le dit brief contenuz ſoient priſez par le dit viſcount ou ſoy rendent en meſme la chauncellarie qadonqes ſoient tielx perſones mys en garde ou a mainpriſe ſelonc la diſcretion du chaunceller. Et outre ſoit maunde denquerer de tielx malfaitz & ſur ceo ſoit fait come la leie demande. Et ſi le viſcount retourne a jour de Capias retournable qe les perſones en ycelles compriſez par aſcun de les cauſes ſuiſditz ne purront eſtre par luy priſez ne meſmes les perſones ne ſoi rendent en la dite chauncellerie qadonqes face le dit chaunceller faire brief de proclamation direct au dit viſcount retournable en banc du Roy a certein jour qil face proclamation en deux countees qe les perſones en le dit brief nomez veignent a dit jour en le ſuiſdit banc

hath ordained and eſtabliſhed at the requeſt of the ſaid commons, That if any perſon hereafter come into the chancery, and make complaint duly, that any ſuch felon or offender, as afore is ſaid, flee or withdraw himſelf into any ſuch place, or elſewhere, to the intent aforeſaid, upon ſuch a complaint a bill ſhall be ſufficiently made for the King; (3) and the chancellor of *England* for the time being, after ſuch a bill to him delivered, if he may be duly informed that ſuch a bill containeth truth, ſhall have power to make according to his diſcretion a writ of *Capias* at the King's ſuit, directed to the ſheriff of the county or counties where the ſaid murders, manſlaughters, robberies, batteries, and other offences be ſuppoſed by the ſaid bill to be done and perpetrate, returnable in the ſaid chancery at a certain day. (4) And if the perſons in the ſaid writ contained be taken by the ſaid ſheriff, or yield themſelves in the ſame chancery, that then ſuch perſons ſhall be put in ward or to mainpriſe, according to the diſcretion of the chancellor. (5) And moreover be it commanded to inquire of ſuch offences, and upon that ſhall be done as the law requireth. (6) And if the ſheriff return at the day of the *Capias* returnable, that the perſons in the ſame compriſed for any of theſe cauſes aforeſaid, cannot be by him taken, neither the ſame perſons do yield themſelves in the ſaid chancery, that then the ſaid chancellor ſhall cauſe to be made a writ of proclamation directed to the ſaid ſheriff, returnable in the King's bench

A remedy to puniſh him who doth commit any murder or robbery, and then doth flee into a ſecret place.

The party accuſed is taken by the ſheriff, or yieldeth himſelf.

The ſheriff returneth, that the party cannot be taken.

bench at a certain day, that he ſhall make proclamation in two counties that the perſons named in the ſaid writ ſhall come at the ſaid day in the bench aforeſaid, there to anſwer to the matter compriſed within the ſaid bill, upon pain to be convict of the matter compriſed in the ſaid bill; (7) and that in every ſuch writ of proclamation ſhall be contained the ſubſtance of the matter compriſed within the ſaid bill. (8) and if they come not at the day of ſuch proclamation returned, then ſhall they be holden and adjudged for convict and attainted as aforeſaid; and if they come at the proclamation, it ſhall be of them inquired and done in manner as above is ſaid.

The ſuggeſtions of ſuch riots ſhall be teſtified under the ſeals of two juſtices of peace and the ſheriff.

II. Provided always, That the ſuggeſtions of ſuch riots be teſtified to the chancellor of *England* by letters ſealed under the ſeals of two juſtices of the peace at the leaſt, and the ſheriff of the county where ſuch riots ſhall be made, before that the writ of *Capias* be granted; (2) in which writ of *Capias*, the matter which is compriſed within the ſame bill ſhall be as well expreſſed, as in the writ of proclamation thereof to be made.

Riots committed in a county where there is a chancellor and a ſeal.

(3) And if ſuch caſe happen in the county palatine of *Lancaſter*, or elſe in any franchiſe where there is a chancellor and a ſeal, that then the chancellor of *England* ſhall cauſe to be written or ſent by the King's writ to the chancellor of ſuch county or franchiſe, all the ſuggeſtion in the ſaid bill compriſed, commanding him to make ſuch execution as in the ſaid article is compriſed; (4) ſo always that the King's writ ſhall not run

banc pur v reſpondre a la matier compris en la dite bille ſur peine deſtre convi ctz de la matier compris deins la dite bille & en cheſcun tiel brief de proclamation ſoit contenu la ſubſtance de la matier compris deinz la dite bille & ſils ne veignent a jour de tiele proclamation retournee ſoient adonqes tenuz & adjuggez pur convictz & atteintz come deſuis eſt dit & ſils veignent a la proclamation ſoit de eux enquis & fait en manere come deſuis eſt dit.

Purveu qe les ſuggeſtions de tielx riotes ſoient teſmoignez a le chaunceller dEngleterre par lettres enſealez deſoutz les ſeals de deux juſtices du pees a meins & le viſcount del countee ou tielx riotes ſerront devant ceo qe tiel brief de Capias ſoit graunte en quel brief de Capias ſoit ſibien la matiere expreſſe quel eſt compris deins meſme la bille come en le brief de proclamation ent affaire. Et ſi tiel cas aveigne en le countee palatyn de Lancaſtre ou aillours en franchiſe la ou il y ad chaunceller & ſeal qadonqes le dit chaunceller dEngleterre face eſcriver ou envoier par brief du Roy a le chaunceller de tiel countee ou franchiſe toute la ſuggeſtion en la dite bille compris commandant a luy de faire tiel execution come en le dit article eſt compris iſſint toutz foitz qe brief du Roy hors de la chauncellarie dEngleterre ne courge en tiel countee ou franchiſe autrement qe nad eſte uſee en temps paſſe & qe ceſte ordinance eſtoiſe en ſa force tanqe al fyn du proſchein parlement.

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out of the chancery of *England* in ſuch a county or franchiſe, othe wiſe than hath been uſed in time paſt ; (5) and that this ordinance ſhall ſtand in his full force until the end of the next parliament.

Made perpetual by 8 H.6. c.14.

Other ſtatutes made at *Weſtminſter*, *Anno* 2 HEN. V. ſtat. 2. and *Anno Dom.* 1414.

NOSTRE ſeignur le Roy a ſon parlement tenuz a Weſtm' le Lundy apres les octaves de ſeint Martyn lan de ſon regne ſeconde del advis & aſſent des ſeignurs eſpirituelx & temporelx & a les eſpecialx requeſte & inſtance des communes de ſon roialme adonqes illoeqes aſſemblez ad ordeine fait & eſtablie diverſes ordinances & eſtatutz en la fourme qenſuit.

OUR *lord the King, at his parliament holden at* Weſtminſter, *the* Monday *next after the* Utas *of St.* Martin, *the ſecond year of his reign, by the advice and aſſent of the lords ſpiritual and temporal, and at the ſpecial inſtance and requeſt of the commons of his realm then there aſſembled, hath ordained and eſtabliſhed divers ordinances and ſtatutes in the manner and form as followeth.*

CAP. I.

What ſort of men ſhall be juſtices of the peace.

PRimerement qe les juſtices de la pees deſore enavaunt affaires deinz les countees dEngleterre ſoient faitz de les pluis ſufficeantz perſones demurantz en meſmes les countees par advis du chanceller & conſeyll le Roy ſanz prendre autres perſones demurantz en foreins countees a tiel office occupier forſpris les ſeignurs & les juſtices daſſiſes ore nomez & anomerz par le Roy & ſon conſeil & forſpris auxi les chiefs ſeneſchalx du Roy des terres & ſeignuries del duchee de Lancaſtre en le north & le ſouth pur le temps eſteantz.

FIRST, That the juſtices of the peace from henceforth to be made within the counties of *England*, ſhall be made of the moſt ſufficient perſons dwelling in the ſame counties, by the advice of the chancellor and of the King's council, without taking other perſons dwelling in foreign counties to execute ſuch office, except the lords and the juſtices of aſſiſes now named, and to be named by the King and his council ; and except all the King's chief ſtewards of the lands and ſeigniories of the dutchy of *Lancaſter*, in the north parts, and in the ſouth, for the time being.

4 Inſt. 51.
1 Ed.3. ſtat.2. c.16.
34 Ed.3. c.1.
What ſort of perſons ſhall be juſtices of peace.
13 R.2. ſtat.1. c.7.

CAP. II.

The yearly wages of chaplains and pariſh prieſts ſettled.

ITEM, whereas it is contained in the ſtatute, made the xxxvi. year of King *Edward* the Third after the conqueſt, That no pariſh prieſt nor yearly prieſt ſhould take but v. marks, or vi. at

Ex edit. Raſt. Pariſh prieſts.

the moſt for their wages by year. And where the pariſh prieſts which now be, will not ſerve but for x.li xii. marks or x. marks by year at the leaſt, againſt the form of the ſaid ſtatute, to the great damage of the King's liege people, as he hath perceived by the complaint of the commons of his land: the King willing for the ſame to provide remedy in eaſe of the ſaid commons, hath ordained and eſtabliſhed, That no yearly chaplain within the realm ſhall take from henceforth more for his whole wages by year, that is to ſay, for his board, apparel, and other neceſſaries, but vii. marks, nor the pariſh prieſts, which be or ſhall be retained to ſerve cures, ſhall take from henceforth for their whole wages by year, that is to ſay, for the things aforeſaid but viii. marks, unleſs it be by licence of the ordinary, ſo that the whole ſum paſs not nine marks.

36 Ed. 3. c. 8. Rep. 21 Jac. 1. c. 28.

CAP. III.

Of what eſtate thoſe jurors muſt be, which are to paſs touching the life of man, plea real, or forty marks damages.

Explained by 8 H. 6. c. 29.

ITEM, The King conſidering the great miſchiefs and diſheriſons which daily happen through all the realm of *England*, as well in caſe of death of a man, as in caſe of freehold, and in other caſes, by them which paſs in inqueſts in the ſaid caſes, which be common jurors, and other that have but little to live upon but by ſuch inqueſt, and which have nothing to loſe becauſe of their falſe oaths, whereby they offend their conſciences the more largely; (2) and willing thereof to have correction and amendment, hath ordained and eſtabliſhed, by aſſent of the lords and commons aforeſaid, That no perſon ſhall be admitted to paſs in any inqueſt upon trial of the death of a man, nor in any inqueſt betwixt party and party in plea real, nor in plea perſonal, whereof the debt or the damage declared amount to forty marks, if the ſame perſon have not lands or tenements of the yearly value of forty ſhillings above all charges of the ſame; (3) ſo that it be challenged by the party, that any

Of what eſtate jurors muſt be who are to paſs in an inqueſt touching the life of man, plea real, or forty marks damages.

ITEM le Roy conſiderant les grandes meſchiefs & deſheritances qe de jour en autre aveignent parmy tout le roialme ſibien en cas de mort de homme come en cas de franc tenement & es autres caſes par ceux qi paſſent es enqueſtes en les ditz caſes qi ſont communes jurours & autres qi nont qe poie de vivre mes par tieux enqueſtes & les queux nont riens a perdre par cauſe de lour faux ſerementz paront ils le pluis legierment offendent lour conſcience et voillant ent avoir correction & amendement ad ordeigne & eſtablie par aſſent des ſeignurs & communes ſuiſditz qe null perſone ſoit admys de paſſer en aſcune enqueſte ſur trial de mort de homme ou en aſcune enqueſte parentre partie & partie en plee real nen plee perſonell dont le dette ou les damages declarez amontent a quarant marcz ſi meſme la perſone neit terres ou tenementz de annuell value de quarant ſouldz outre les repriſes dicelles iſſint qil ſoit chalangee par la partie qe aſcun empanelle en meſmes les caſes nad my terres

ou tenementz a le value annuell de quarant ſouldz outre les charges come avaunt eſt dit.

ſuch perſon ſo impanelled in the ſame caſes hath not lands or tenements of the yearly value of forty ſhillings above the charges, as afore is ſaid.

Raſt. 117. 28 Ed. 3. c. 13. 9 H. 5. f. 5. 10 H. 6 f. 7, 8, 18. 2 H. 7. f. 13. 10 H. 7. f. 14.

CAP. IV.

There ſhall be no gilding of ſilver ware, but of the allay of Engliſh *ſterling.*

There ſhall be no gilding of ſilver wares but of the allay of Engliſh ſterling.

ITEM pur ceo qe les orfeours dEngleterre de lour commune covyn & ordinance ne voillent my vendre les choſes de lour miſtier endorrez ſinon a double pris de le pois dargent dicelles le quell ſemble a Roy trop outrageous & trop exceſſive pris le Roy pur laiſe de ſon poeple voillant ceo remedier ad ordeine & eſtablie qe toutz les orfeours dEngleterre ſuiſorrent null argent pier qe del allaie deſterling Englois & qils preignent pur la libre de Troy orre xlvi. s. viii. d. a pluis & de greindre pois & de meindre ſelonc la quantite & laſſerante de meſme la ſomme et qe ceo qe ſerra par eux ſuiſorre deſore enavaunt ſoit de reſonable pois & non pas exceſſive et ſi nul orfeour face le contraire forferra a Roy la value de la choſe vendue.

ITEM, *for that the goldſmiths of* England, *of their covin and ordinances, will not ſell the wares of their myſtery gilt, but at the double price of the weight of the ſilver of the ſame, which ſeemeth to the King very outrageous and too exceſſive a price*; (2) the King for the eaſe of his people, willing to remedy the ſame, hath ordained and eſtabliſhed, That all the goldſmiths of *England* ſhall gild no ſilver worſe than of the allay of the *Engliſh* ſterling, and that they take for a pound of *Troy* gilt but forty-ſix ſhillings eight pence at the moſt, (3) and of greater weight, and leſs, according to the quantity and rate of the ſame ſum; and that which ſhall be by them gilt from henceforth ſhall be of reaſonable price, and not exceſſive; (4) and if any goldſmith do contrary to this ſtatute, he ſhall forfeit to the King the value of the thing ſo ſold.

Rep. in part. 21 Jac. 1. c. 28.

The pound Troy of ſilver gilt ſhall be ſold for 46 s. 8 d.

5 H. 4. c. 13.

CAP. V.

If a Welchman, *on proceſs awarded againſt him for detaining an* Engliſhman, *refuſe to appear, he ſhall be outlawed, and writs ſhall be iſſued to apprehend him.*

ITEM, *foraſmuch as ſince the rebellion of the* Welchmen *now late reformed, many of the rebels of* Wales, *with other their adherents, with force and arms in the manner of war, ſometimes by day, and ſometimes by night, have come into the counties of* Salop, Hereford, and Glouceſter, *and in other places bordering upon the ſame countries, and in divers woods and other places there hid and lodged, have traiterouſly and felonioufly taken many of the King's faithful liege people, ſome in riding about their merchandiſes and doing their own buſineſs*

Ex edit. Raſt. Wales.

ſineſs, and ſome in their houſes where they were abiding, doing their works in their huſbandry in God's peace and the King's, and thoſe the King's liege people ſo taken, have brought out of their country to divers parts of Wales, *and them have kept and witholden with them in the mountains of thoſe parts of* Wales *by half a year, ſometime more, and ſometime leſs, till they have ranſomed ſome of the ſaid liege people to an* C li. *and ſome more after their rate, in like manner as is uſed in time of war, to the great damage and miſchief of the people of the ſaid counties and countries, and to an evil example, if it be not the rather remedied, as the King by the grievous complaint of the commons hath perceived:* Our ſovereign lord the King, willing againſt all ſuch offenders to ordain a due puniſhment, hath ordained and eſtabliſhed, That the juſtices of peace within the counties of *England* aſſigned for the time, ſhall have power to enquire, hear, and determine all manner of ſuch treaſons and felonies, as well at the King's ſuit as at the party's: ſo that in caſe that ſuch offenders will not appear before the ſaid juſtices, to anſwer as the law requireth in this behalf, till they be according to the cuſtom of the realm outlawed; then the ſame juſtices ſhall certify by their letters under their ſeals, the officers of the ſeignories, in which ſuch outlaws be withdrawn, abiding, or reſiant, of the outlawry upon them ſo pronounced. And that the ſame officers upon that certification, take the bodies of thoſe outlaws, and do execution upon them in the ſame ſeignory, as the law demandeth, without fine or ranſom in this behalf to be made.

Juſtices of peace.

Altered by 27 H. 8. c. 26.

CAP. VI.

Merchandiſes of the ſtaple ſhall not be exported beyond ſea, without the King's licence, until they be firſt brought to the ſtaple.

Staple.

ITEM, *whereas in the parliament holden the firſt year of King* Henry *the Fourth, father to the King that now is, by the advice of the lords and commons in the ſame aſſembled, it was ordained and aſſented, That the ſtaple of wools, leather, woolfels, lead, and tin, ſhould be wholly at* Calais, *ſaving always, that all the merchants of* Genoa, Venice, Catalonia, Arragon, *and of other realms, lands, and countries towards the Weſt, being of the King's amity, that would bring to* Hampton *or elſewhere within the realm, caraks, ſhips, galleys, or other veſſels, charged or diſcharged, might freely ſell their merchandiſes to whom pleaſed them, and there to recharge all their ſaid veſſels of wools, leather, woolfels, lead, and tin, and of other merchandiſes of the ſtaple, and freely bring them into their country towards the Weſt, after the form of the ſtatute thereof made the ſecond year of King* Richard *the Second after the conqueſt. And ſaved alſo to the burgeſſes and merchants of the town of* Berwick *upon* Tweed, *and to the reſiants and inhabitants in the ſame, that they may buy wools, leather, and woolfels, as well of the growing of* Tindale *and other places within the realm of* Scotland, *and other of the growing of* England, *that is to ſay, of all that place betwixt the waters of* Tweed *and* Coket, *as of the growing of other parts within the realm*

realm of Scotland: *and the ſame wools, fells, and leather, to bring to the port of the ſaid town of* Berwick, *and to carry them to foreign parts, or ſet them to ſale in the ſaid town of* Berwick, *according to the form and effect of an ordinance thereof made the firſt year of the ſaid King* Richard. *And now ſo it is, that certain merchants, as well of the iſles of* Jerſey *and* Guernſey, *as merchants of the parts of* Britanny, *and* Guion, *do buy in divers places of* Cornwal *whole tin not molten, and the ſame carry and ſend to be ſold in divers parts of* France, Normandy, Britanny, Guion, *and elſewhere than to the ſaid ſtaple, and alſo divers other merchants, as well denizens as ſtrangers, do buy and ſend molten tin, called ſhotten tin, out of the realm to the parts of* Flanders, Holland, Zealand, *and to other parts beyond the ſea, than to the ſaid ſtaple, againſt the form of the ſaid ordinance ſo late made, to the great fraud, loſs, and damage to the King, as of his cuſtoms, and to the hindrance of all their repairers to the ſame ſtaple, as the King is thereof certified by the motion of his commons now preſent:* The King conſidering the ſame ordinance to be neceſſary and profitable for him and the ſaid ſtaple, will, granteth, and commandeth, That the ſame ſhall ſtand in his force, and moreover the King, by the aſſent of his lords ſpiritual and temporal, and of his commons here aſſembled in this parliament, will and ordaineth, That no wools, fells, leather, lead, nor tin, whole or molten, called ſhotten tin, nor none other merchandiſe of the ſtaple, from henceforth ſhall be ſent nor carried to any parts beyond the ſea, unleſs they be firſt brought to the ſaid ſtaple after the form of the ſaid ordinance made the firſt year of King *Henry*, upon pain of forfeiture of all the merchandiſes in ſuch manner ſent or carried out of the realm, unleſs it be by the King's licence, and except thoſe perſons, places, and things, which be excepted in the ſaid ordinance made in the ſaid firſt year of the ſaid King *Henry* for the time that the perſons of the places ſo excepted be of the King's amity, and that in the form contained in the ſaid ordinance. And moreover that every man (except thoſe before excepted) which ſhall ſend or carry any ſuch merchandiſes of the ſtaple out of the realm of *England* in time to come, ſhall find good and ſufficient ſurety to the King, before his cuſtomers, of the place where the ſame merchandiſes ſhall be taken and cuſtomed within the ſame realm, before that he depart with the ſame merchandiſes, that he ſhall firſt bring or ſend them to the ſaid ſtaple in the form aforeſaid, unleſs he have the King's licence as afore is ſaid.

2R.2.ſtat.1.c.3. 2 H. 6. c.4. 14 Ed.4.c.3.

A ſtatute made at *Weſtminſter*, *Anno* 3 HEN. V. and *Anno Dom.* 1415.

FAIT aſſavoir qe a le parlement tenuz a Weſtm' le Lundy

AT *the parliament holden at* Weſtminſter *the Monday next*

next after the feaſt of All Saints, *the third year of the reign of King* Henry *the Fifth, a ſtatute was made by the King our lord, with the aſſent of all the lords ſpiritual and temporal, and at the requeſt of the commons of* England *there aſſembled for the common profit and weal of the realm.*

Lundy proſchein apres le feſt de toutz ſaintz lan du regne le Roy *Henry* quint apres le conqueſt tierce fuit fait un eſtatut par le Roy del aſſent de toutz les ſeignurs eſpirituelx & temporelx a leſpeciale requeſte des communes dEngleterre aſſemblez illoeqes pur le commune bien & profit de tout le roialme.

CAP. I.

It ſhall be felony to import or offer in payment any ſort of money forbidden by former ſtatutes.

Ex edit. Raſt. Gally halfpence.

THAT is to ſay, That Gally halfpence, and the money called Suſkin and Dotkin, and all manner of *Scottiſh* money of ſilver, ſhall be put out, and not be current hereafter for any payment in the realm of *England*. Joined to the ſame, that proclamation be made through all the counties of *England* within franchiſes and without, and elſewhere, that all that have Gally halfpence, ſuſkins or dotkins, ſhall bring them to the King's exchanges betwixt this and the feaſt of *Eaſter* next enſuing, there to be broken, and that that is found good ſilver, there to be ſtriken and coined in *Engliſh* halfpence. And all they which after the ſaid feaſt of *Eaſter* do make coin, buy, or bring into the realm of *England* any Gally halfpence, ſuſkins, or dotkins, to ſell them, or to put them in payment in the ſame realm, and thereof be attainted, they ſhall be judged as felons of our ſovereign lord the King, and ſhall forfeit all their lands and tenements goods and chattels. And that the lords, of whom ſuch lands and tenements be holden, ſhall have and enjoy the forfeitures as in other caſes of felony. And if any of the King's liege people or other perſon put Gally halfpence, ſuſkins, or dotkins, in payment, or them receive in payment, within the realm of *England*, and thereof be duly attainted, they ſhall forfeit at every time that they make ſuch payments or receit, C s. whereof our ſovereign lord the King ſhall have the one half, and he that will ſue for the King thereof to attaint them, ſhall have the other half, and that as well the juſtices of peace within all the counties of *England*, as mayors and bailiffs within the cities and boroughs, and ſtewards of lords in their view of frankpledge, ſhall have power to enquire by good enqueſts to be taken before them of all the matters aforeſaid. And that the ſaid mayors and bailiffs, after the ſaid enqueſts before them taken, ſhall ſend the ſame inquiſitions before the juſtices of peace of the counties, in which the ſaid cities and boroughs be. And that the ſaid juſtices of the peace of the counties have power, as well of the ſaid inquiſitions ſo taken before ſuch mayors and bailiffs, and ſent before the ſaid juſtices (as afore is ſaid) as upon other inquiſitions before the ſame juſtices of peace

Suſkin and Dotkin. Money.

Juſtices of peace.

Mayors. Bailiffs. Stewards.

peace in their seſſions to be taken touching the said matters, to make proceſs, and to award the *Capias* and *Exigend*, and to hear and determine all the said matters according to their discretion, as in other cases of felonies and treſpasſes hath been used before this time. 2 H.6.c.9.

Statutes made at *Weſtminſter*, *Anno* 3 HEN. V. stat. 2. *Anno Dom.* 1415.

NOSTRE seignur le Roy a son parlement tenuz a Westm' le Lundy le sesziſme jour de Marcz lan de son regne tierce del advis & assent des seignurs espirituelx & temporelx & a la requeste des communes assemblez en meſme le parlement ad ordeignez & estabiliz diverſes ordinances & estatutz en la fourme qensuit.

OUR *lord the King, at his parliament holden at* Weſtminſter *the Monday the ſixth* * *day of* March, *the third year of his reign, by the advice and aſſent of the lords ſpiritual and temporal, and at the requeſt of the commons, aſſembled in the ſame parliament, hath ordained and eſtabliſhed divers ſtatutes and ordinances in the form following.*

* Sixteenth.

CAP. I.

A confirmation of the liberties of the church, and of all perſons, cities, &c.

PRimerement qe seinte esgliſe eit toutz ſes libertees & franchiſes & qe toutz les seignurs eſpirituelx & temporelx & les autres lieges du Roy eiantz libertees & franchiſes & toutz les citees & burghs du roialme eient & enjoient toutz lour libertees & franchiſes queux ils ount des grantes de les progenitours noſtre ſeignur le Roy & de la confermement meſme noſtre ſeignur le Roy ou ſon grante demeſne forſpris ceux franchiſes & libertees queux ſont repellez en ceſt preſent parlement & ceux qe ſont repellablez par la commune leie.

FIRST, That holy church have all her liberties and franchiſes, and that the lords ſpiritual and temporal, and other the King's liege people, having liberties and franchiſes, and all the cities and boroughs of the realm, have and enjoy all their liberties and franchiſes, which they have had of the grants of the King's progenitors, and of the confirmation of the ſame our lord the King, or his grant; (2) except always thoſe franchiſes and liberties which be repealed in this preſent parliament, and thoſe that be repealable by the common law.

The liberties of the church and of all cities, boroughs, and perſons confirmed.

CAP.

CAP. II.

Privilege given to certain abbots, &c, to make their attornies in the courts of Stancliffe *and* Frendles.

Ex edit. Raſt. ITEM, foraſmuch as there be divers abbots, priors, and other religious perſons, whereof ſome be of the King's foundation, and ſome of the foundation of other lords of the realm of *England*, dwelling as well within the county of *Lancaſter*, as in the county of *York*, whereof ſome have poſſeſſions within the wapentakes of *Stancliffe* wapentake, and *Friendles* wapentake, in *Craven* in the county of *York*, and ſome not, againſt whom divers perſons daily by abettment and procurement of the bailiffs, approvers of the courts of the ſaid wapentakes, and the ſtewards that hold pleas in the ſaid courts, and of fermours of the profits and revenues of the ſaid courts, feign and procure by them and other of their covin and aſſent, divers plaints, pleas of debt, and treſpaſs, and other pleas againſt them in the courts of the ſaid wapentakes, and there whereas the ſame abbots and priors come to the ſaid courts, for the defence of ſuch wrongful plaints and pleas, and pray and profer to the ſtewards and bailiffs of the ſaid courts to make their attornies in ſuch pleas: the ſaid ſtewards and bailiffs the ſame refuſe, and will not receive ſuch attornies of ſuch abbots and priors in any plea of debt or treſpaſs, nor in any other plea, and that moreover the ſame ſtewards and bailiffs of their own authority do amerce the ſaid abbots and priors for every plaint, at the firſt time xii d. and at every other time for every of the ſaid plaints x s. and xx s. and more at their own will, to the great damage and grievance of the ſaid abbots and priors, and againſt reaſon and the common law of the land: the King hath ordained remedy of the ſaid grievances, that all ſuch abbots and priors, and their ſucceſſors and every of them, ſo vexed and to be vexed in the ſaid courts, may make their general attornies or attorney, that is to ſay, every of them under the common ſeal of his houſe, to gain and loſe in every manner of plea of debt and treſpaſs, and in any other plea moved or to be moved in the ſaid courts and in all other courts within the ſaid wapentakes. And that the ſtewards and bailiffs in the ſaid courts receive the ſaid attornies ſo made and named without any contradiction. And if the ſame ſtewards or bailiffs refuſe to receive any ſuch attornies or attorney, ſo made and named to be made or to be named, that then the ſtewards and bailiffs at every time of ſuch refuſal of ſuch attorneys, ſhall forfeit and incur the pain of ten pounds to our ſovereign lord the King. And that the ſaid abbots and priors, or their ſucceſſors in the ſaid courts, nor none of them, be in any wiſe amerced for any nonſuit or default otherwiſe than ſecular perſons. And that this ordinance ſtand in his force for all the year next following, and till the parliament in the ſame year next following.

x s. and xx s.

[a] 11. g. c. 9.
[b] 11. 6. c. 10.

CAP,

CAP. III.

All Britons *not made denizens ſhall depart the realm upon pain of death.*

ITEM, whereas divers *Britons* be now late come within the realm, ſome of them abiding about the queen's perſon in her houſe, and ſome nigh the ſaid houſe, and elſewhere within the ſaid realm, for to hear, know, and perceive the ſecretneſs of the realm, and the ſame to diſcover to *Britons*, which be the greateſt enemies of the King and of his realm, and for to carry away the money and jewels out of the ſaid realm, in great prejudice and damage to the King and to all his realm, as our ſovereign lord the King by the grievous complaint of his commons is inſtructed: the ſame our ſovereign lord the King will and hath ordained, That all ſuch *Britons* dwelling in the queen's houſe, and other abiding nigh to the ſame houſe and elſewhere, not made denizens, ſhall be voided out of the realm: and that proclamation be made, that the ſaid *Britons* do void out of the realm betwixt this and the feaſt of St. *John* the Baptiſt next coming, and that upon pain of life and of member. Britons.

CAP. IV.

All proviſions, licences, and pardons of a benefice full of an incumbent ſhall be void.

ITEM combien en temps le Roi *Henry* quart pier a Roy noſtre treſſoverain ſeignur qi Dieu aſſoille lan de ſon regne ſeptiſme pur eſchuer pluſeurs diſcordes & debates & diverſes autres meſchieves veriſemblables a ſourder & avenir a cauſe des pluſours proviſions adonqes faitz & affairz par lappoſtoill & auxi des licences ſur ceo grauntez par le dit nadgairs Roi entre autres choſes ordeignez eſtoit & eſtabliz qe null tiele licence ou pardon enſy grantee pardevaunt meſme lordinance ne a grantier en apres ſerroit vaillable a aſcune benefice plein daſcun incumbent a jour del date en tiele licence ou pardon grante. Nientlemeins diverſes perſones eiantz proviſions de lappoſtoill de diverſes benefices en Engleterre & aillours & licences roialx pur executer les ditz pro-

ITEM, *whereas in the time of King* Henry *the Fourth, father to our ſovereign lord, whom God forgive, the ſeventh year of his reign, to eſchew many diſcords and debates, and divers other miſchiefs which were likely to riſe and happen, becauſe of many proviſions then made, or to be made, by the pope, and alſo of licences thereupon granted by the ſaid late King, amongſt other things it was ordained and ſtabliſhed, That no licence or pardon ſo granted before the ſame ordinance, nor after to be granted, ſhould be available to any benefice full of an incumbent at the day of the date of ſuch licence or pardon granted:* (2) *notwithſtanding ſeveral perſons having proviſions of the pope of divers benefices in* England, *and elſewhere and licences royal to execute the ſaid proviſions, have by colour of the ſame proviſions licences and acceptations of the ſaid benefices, ſubtilly* 7 H. 4. c. 8.

ſubtilly excluded diver ſ perſons of their benefices, in which t'ey have bcen incumbents by a long ſeaſon, of the collations of the patrons ſpiritual, to them duly made to their intent, to the utter deſtruction and ſubverſion of the eſtates of the ſaid incumbents: (3) the King willing to remove ſuch miſchief, hath ordained and eſtabliſhed, That all the incumbents of every benefice of holy church, of the patronage, collation, or preſentation of ſpiritual patrons, may peaceably and quietly enjoy, and ſhall enjoy their ſaid benefices, without being inquieted, moleſted, or any wiſe grieved by any colour of ſuch proviſions, licences, and acceptations whatſoever: (4) and that all the licences and pardons upon and by ſuch proviſions made in any manner, ſhall be void and of no value. (5) And if any feel himſelf grieved, moleſted, or inquieted in any wiſe from henceforth by any colour of ſuch proviſions, licences, pardons, or acceptations, that the ſame moleſters, grievers, and inquieters, and every of them, ſhall ſuffer and incur the pain and puniſhments contained in the ſtatutes of proviſors before this time made, and that by proceſs of *Præmunire facias* formed upon the caſe; (6) and that the party which ſhall ſue by the ſame writ, ſhall recover his treble damages, if the defendants named in the ſame writ, or any of them, be convict in that behalf.

All proviſions made by the pope, and licences or pardons granted by the King, touching any benefices full of an incumbent ſhall be void.

25 Ed. 3. ſtat. 6.

proviſions ont par colour dicelles proviſions & licences & acceptations des ditz benefices ſubtielment ouſtez diverſes perſones de lour benefices es queux ils ont eſtez incumbentz par long temps dell collation des verraies patrons eſpirituelx a eux faitz duement a lour entent a finall deſtruction & enervation deſtates dicelx incumbentz le Roi voillant ouſtier tiele meſchief ſi ad ordeigne & eſtablie qe toutz les incumbentz de qeconqes benefices de ſeinte eſgliſe del patronage collation ou preſentation des patrons eſpirituelx puiſſent peiſiblement & quietement enjoier & enjoient lour ditz benefices ſanz eſtre inquietez moleſtez ou grevez aſcunement par aſcuny par colour de tieux proviſions ou licences & acceptations queconqes. Et qe toutz les licences & pardons ſur & pur tieux proviſions faitz en aſcun manere ſoient voidez & de null value. Et ſi aſcuny ſe ſente grevee moleſte ou inquiete aſcunement deſorenavaunt par aſcuns ou aſcuny par colour de tieux proviſions licences pardons ou acceptations qe meſmes es grevours moleſtours ou inquietours & chefcuny de ceux eient & encourgent ait & encourge les peines & puniſſementz en les eſtatutz & ordeignances des proviſours avant ces heures faitz contenuz & ceo par proces de Premunire facias fourmee ſur le cas & qe la partie qi purſuera meſme le brief recovera ſes damages a treble ſi les defendantz en meſme le brief nomez ou aſcuny dicell ſoient ou ſoit convictz ou convict ceſte partie.

CAP,

CAP. V.

In which courts an attaint may be brought upon a false verdict given in the city of Lincoln, *and by whom it shall be tried.*

ITEM combien par estatut fait en le parlement tenuz a Westm' lan du reigne le Roi RICHARD seconde puis le conquest trefziſme ordeigne fuit & estable den assises jurees & toutz autres enqueſtes queux delors ſerroient prisez parentre partie et partie devaunt les mair & ballives de la citee de Nichole qi pur le temps ſerroient si ascune des parties delors soi pleindroit de faux ſerement fait par tielx assises jurees ou enqueſtes latteint luy ſerroit grantee & le record ſerroit mandee par brief en banc le Roy ou en commune banc et qe le visCont arraieroit le panell del juree de tiele atteinte des foreins ſanz mander al franchiſe du dite citee et qe les juſtices prendroient meſme la juree de meſmes les foreins nient contreeſteant aſcune franchiſe grantee au dite citee ou autre uſage a contrarie. Jalemeins pur tant qe ſir HENRY nadgairs Roi dEngleterre pier a noſtre treſſoverain ſeignur avauntdit le xxi. jour de Novembr' lan de ſon regne unſziſme par ſes lettres patentz entre autres graunta as mair & comminalte de la dite citee qe le noun des baillives de meſme la citee ſerroit tranſlate en le noun des viſcontz et qe meſme la citee les ſuburbes & le purceint dicell forſpris le chaſtell & le bayle de Lincoln & les mures & foſſes dicell alors pur toutz jours ſerroit appelle le countee del citee de Lincoln pluſeurs gentz ſont & ont eſteez en ambiguite le quell homme qi pleindre ſe vorra de faux

ITEM, *whereas by the ſtatute made in the parliament holden at* Weſtminſter *the thirteenth year of King* Richard *the Second, it was ordained and eſtabliſhed, That in aſſiſes, juries, and all other inqueſts, which thenceforth ſhould be taken betwixt party and party, before the mayor and bailiffs of the city of* Lincoln, *which for the time ſhould be, if any of the parties then did complain him of falſe oath made by ſuch aſſiſes, juries, or inqueſts, that the attaint ſhould be granted to him, and the record ſhould be ſent by writ into the king's bench, or into the common bench*; (2) *and that the ſheriff ſhould array the panel of the jury of ſuch attaint, of foreigns, without ſending to the franchiſe of the ſaid city*; *and the juſtices ſhould take the ſame jury of the ſame foreigns, notwithſtanding any franchiſe granted to the ſaid city, or any other uſage to the contrary.* (3) *Neverthelеſs, foraſmuch as the lord* Henry, *late King of* England, *father to our ſovereign lord the King aforeſaid, the twenty-firſt day of* November, *the thirteenth year of his reign, by his letters patents, amongſt others, granted to the mayor and commonalty of the ſaid city, that the name of bailiffs of the ſame city ſhould be tranſlated into the name of ſheriffs*; *and that the ſame city, ſuburbs, and precinct of the ſame (except the caſtle of* Lincoln, *and the walls and ditches of the ſame) ſhould for ever be called the county of the city of* Lincoln: *divers people be and have been in doubt, whether a man that will complain of a falſe oath made in the*

13 R. 2. ſtat. 1. c. 18.

The name of bailiffs of Lincoln tranſlated into the name of ſheriffs.

Upon a falſe verdict given before the mayor &c, of the county of the city of Lincoln, an attaint may be brought triable by foreigners.

the county of the ſaid city after, by force of the ſaid ſtatute, ſhould have a writ of attaint directed to the ſheriff of the county of Lincoln, *to be arrayed by the people of the ſame county, or not, and alſo of other articles and points of the ſaid ſtatute*; (4) the King willing to remove all manner of ambiguities and doubts in this behalf, hath ordained, granted, and eſtabliſhed, That in aſſiſes, juries, and all other inqueſts which be and ſhall be taken betwixt party and party, before the mayor and bailiffs, and before the ſheriff of the county of the city of *Lincoln*, which for the time is, and ſhall be, or any of them, if any of the ſaid parties do complain of a falſe oath made by ſuch aſſiſes, juries, and inqueſts, a writ of attaint ſhall be granted to him, directed to the ſheriff of the ſaid county of *Lincoln* for the time being, and the ſame record ſhall be ſent by a writ into the king's bench, or into the common bench; (5) and that the ſheriff of the county of *Lincoln*, which for the time ſhall be, ſhall array the panel of the jury of ſuch attaint of people of the county of *Lincoln*; and that the juſtices of the King and of his heirs ſhall take the ſame jury of people of the county of *Lincoln*, according to the intent and effect of the ſaid ſtatute, notwithſtanding the ſaid letters patents, or any thing therein contained, or any poſſeſſion or other thing by the force of the ſame letters had or made, or any franchiſe granted, or to be granted to the citizens of the ſaid city, or to their ſucceſſors, or other uſage to the contrary, or that the ſaid city of *Lincoln* is ſo made incorporate.

faux ſerement fait en le countee du dite citee puiſſe par force del eſtatuit ſuiſdit avoir brief de atteinte adreſſer a viſcont del countee de Nichole deſtre arraie par gentz de meſme le countee ou nemy & auxint dautres articles & points de meſme leſtatut le Roy voillant ouſter toutz maners ambiguitees & awereſtees ceſte partie ſi ad ordeigne grante & eſtablie qen aſſiſes jurees & autres enqueſtes qeconqes qi ſont & ſerront priſez parentre partie et partie devaunt les mair & baillives ou viſcont del countee de la dite citee de Nichole qi pur le temps furent & ſerront ou aſcuns de eux ſi aſcun des parties ſoi pleint de faux ſerement fait par tieux aſſiſes jurees ou enqueſtes brief datteint luy ſoit grante adreſſer al viſcont del dit countee de Nichole pur le temps eſteant & le record ſoit mandee par brief en banc le Roy ou en commune banc et qe le viſcont del countee de Nichole qi pur le temps ſerra arraie le panell del juree de tiel atteinte des gentz del countee du Nichole et qe les juſtices du Roy & de ſes heirs preignent meſme la juree del countee de Nichole ſolonc lentent & leffect del dit eſtatuit les ditz lettres patentz ou riens leins contenuz ou aſcune poſſeſſion ou autre choſe par force de meſmes les lettres euz ou faitz ou aſcune franchiſe grantee ou a grantier as citezeins du dite citee ou a lour ſucceſſours ou autre uſage a contraire ou ceo qe la dite citee de Nichole eſt enſy fait incorporate countee par luy meſmes & ſeveree del countee de Nicole non obſtantz.

CAP.

CAP. VI.

It ſhall be treaſon to clip, waſh, or file money.

ITEM pur ceo qe devaunt ces heures grande doute & awereuſte ad eſte le quell la tonſure loture & fylyng de la moneie de la terre duiſſent eſtre adjuggez treſon ou nient a cauſe qe null mention ent eſte fait en la declaration des articles de traiſon faitz en le parlement tenu lan vingt & quint del noble Roi EDWARD beſaiel a noſtre dit treſſoverain ſeignur le Roi meſme noſtre ſeignur le Roi voillant ouſtre tiele doute & le mettre en certain ad declarree en ceſt preſent parlement qe tieux tonſure loture & filer ſoient adjuggez pur traiſon & qe ceux qi tondent lavent & filent la moneie de la terre ſoient adjuggez traitours a Roi & a le roialme & encourgent la peine du traiſon.

ITEM, *becauſe that before this time great doubt and ambiguity hath been, whether that clipping, waſhing, and filing of the money of the land, ought to be judged treaſon, or not, foraſmuch as no mention thereof is made in the declaration of the articles of treaſon made in the parliament holden the twenty-fifth year of King* Edward *the Third*; (2) the ſame our lord the King, willing to decide ſuch doubt, and to put the ſame in a certainty, hath declared in this preſent parliament, that ſuch clipping, waſhing, and filing, ſhall be adjudged for treaſon, and they which ſo do clip, waſh, and file the money of the land, ſhall be judged traitors to the King and to the realm, and ſhall incur the pain of treaſon.

Clipping, waſhing and filing of the money of this realm ſhall be high treaſon.

Repealed by 1 Ed. 6. c. 12. & 1 Mar. ſeſſ. 1. c. 1. and revived by 5 El. c. 11.

CAP. VII.

What juſtices ſhall have authority to hear and determine the offences of falſifying of money.

ITEM pur ceo qe contrefaiture tonſure & loture & autre fauxine de la moneie de la terre eſt le pluis uſee & pluis ſe habunde de jour en autre qe ne ſoleit a cauſe qe le puniſſement dicelles nappertient a aſcun juge du roialme ſinoun as juſtices du Roi devaunt luy meſmes ou devaunt juſtices par eſpecialx commiſſions a ceo aſſignez a verraiſemblable deſtruction de la dite moneie ſinon qe pluis haſtive execution & remedie ſoit ordeigne come le Roi a le grevous compleint des ditz communes ad conceu meſme noſtre ſeignur le Roi voillant ceo remedier ſi ad ordeigne & eſtablie qe les juſtices

ITEM, *becauſe counterfeiting, clipping, waſhing, and other falſity of money of the land, is much more uſed, and daily doth more abound than it was wont, for that the puniſhment of the ſame pertaineth not to any judges of the realm, but to the King's juſtices before himſelf, or by ſpecial commiſſions thereto aſſigned, and it is very likely there will be deſtruction of the money, unleſs haſty execution and remedy be provided, as the King by the grievous complaint of the commons hath perceived*; (2) our ſaid lord the King, willing to remedy the ſame, hath ordained and eſtabliſhed, That the King's juſtices aſſigned to take aſſiſes in all the counties of *England*

What juſtices ſhall have authority to hear and determine the offences of falſifying of money.

England ſhall have power by the King's commiſſions to hear and determine, in their ſeſſions, as well of the counterfeiting, and of the bringing of ſuch falſe money into the realm, as of clipping, waſhing, and every other falſity of the ſaid money; (3) and that the juſtices of peace through the realm ſhall have power by the King's commiſſions to inquire of all ſuch matters, and thereupon to make proceſs by *Capias* only againſt thoſe which before them ſhall be thereof indicted.

5 El. c. 11.

ces du Roi as aſſiſes prendre aſſignez & aſſignerz en toutz les countees dEngleterre eient poair par commiſſion le Roi doier & terminer en lour ſeſſions ſibien de contrefaiture & de laporte de tieux fauxe moneie en Engleterre come de tonſure loture & cheſcune autre fauxine du dite moneie. Et qe les juſtices de la pees parmy le roialme eient poair par commiſſion le Roy denquerer de toutz tieux maters & ſur ceo faire proceſs par Capias tantſoulement vers ceux qi devaunt eux ſerront ent enditez.

CAP. VIII.

Ordinaries ſhall take no more for proving of teſtaments, with their inventories, than was taken in the time of King EDWARD *the Third.*

Ex edit Raſt. Probate of teſtaments.

ITEM, whereas the commons of the realm have often times in divers parliaments complained of that, that divers ordinaries do take for the probate of a teſtament, and other things pertaining to the offices in this behalf, ſometime forty ſhillings, or fifty ſhillings, and ſometime more, againſt right and law, and otherwiſe than was wont to be paid for them, in the time of King *Edward* the Third, that is to ſay, two ſhillings ſix pence, or five ſhillings at the moſt, whereby the teſtament of the teſtator may not be executed, according to the laſt will of the ſame teſtator, to the great damage and hinderance of the common wealth: the King willing, for the wealth and eaſe of his people to avoid ſuch oppreſſion, and to provide remedy in the caſe, hath ordained, That none ordinary ſhall take from henceforth, for the probate of any teſtament with the inventory, and for the other things appertaining to the ſame, no more than was accuſtomed and uſed in this part in the time of the ſaid King *Edward* the Third, upon pain to yield to him that feeleth him grieved the treble ſo received, if he will ſue by the courſe of the law, ſo that all manner of executors ſhall yield their accompts to the ordinaries, wholly of the teſtator's goods. And that this ordinance ſtand in his force till the end of the year next coming, and moreover till the parliament the ſame year next enſuing.

31 Ed. 3. ſtat. 1. c. 4.
21 H. 8. c. 5.

Statutes made at *Weſtminſter*, *Anno* 4 HEN. V. and *Anno Dom.* 1416.

AT *the parliament holden at* Weſtminſter *the nineteenth day*

AU parlement tenuz a Weſtm' le xix. jour dOctobr'

tobr' lan du regne le Roi HENRY quint puis le conqueſte quarte meſme noſtre ſeignur le Roy del aſſent des prelatz ducs counts & barons & a les eſpecialx inſtance & requeſte des communes aſſemblez en ceſt preſent parlement ad fait ordeine & eſtablie certeins eſtatutz & ordeinances en la fourme qenſuit.

day of October, *the fourth year of the reign of King* Henry *the Fifth after the conqueſt; the ſame our lord the King, with the aſſent of the prelates, dukes, earls, barons, and at the ſpecial inſtance and requeſt of the commons aſſembled in the ſame parliament, hath cauſed to be ordained and eſtabliſhed certain ſtatutes and ordinances, in the form as followeth.*

CAP. I.

A confirmation of all former ſtatutes not repealed.

PRimerement qe la Grande Chartre & la Chartre de la Foreſte et toutz autres eſtatutz & ordeinances faitz en ſon temps & es temps de ſes nobles progenitours Rois dEngleterre & nient repellez ſoient fermement tenuz & gardez en toutz pointz.

FIRST, That the Great Charter, and the Charter of the Foreſt, and all other ſtatutes and ordinances made in his time, and in the time of his noble progenitors Kings of *England*, and not repealed, ſhall be firmly holden and kept in all points.

A confirmation of former ſtatutes not repealed.

CAP. II.

Sheriffs ſhall have allowance upon their accompts of things caſual.

ITEM qe toutz les viſcontz dEngleterre eient allouance ſur lour accompts par lour ſerementes des choſes caſuels come des extretz qe ne ſonnent ne courgent my en ferme nen demande annuell mes de toutz ceux choſes qe ſonnent ou courgent en tieux fermes annuelx ou demandes annuelx ſoient ils chargez envers le Roi come les viſcontz ont eſtez chargez devant ces heures en le cas.

ITEM, That all the ſheriffs of *England* ſhall have allowance upon their accompts, by their oaths, of things caſual, as of eſtreats that be* not in ferm nor in demand; (2) but of all ſuch things that be or run in yearly ferms or yearly demands, they ſhall be charged to the King, as the ſheriffs have been charged in that caſe in times paſt.

4 Inſt. 107. Sheriffs ſhall have allowance, upon their accompts, of things caſual.

* *Sound.*

CAP. III.

No man ſhall make any pattens of aſpe, upon pain of an hundred ſhillings.

ITEM, That the patenmakers in the realm of *England*, from henceforth ſhall make no patens nor clogs of timber called aſpe, upon pain to pay to the King a hundred ſhillings, at every time that the ſaid patenmakers make any patens or clogs of the ſaid timber. And that every man that will ſue for the King, ſhall have the one half of the pain ſo forfeit, ſo that the fletchers through

Ex edit. Raſt. Patenmakers. Rep. 21 Jac. 1. c. 23.

through the realm ſhall ſell their arrows at a more eaſy and reaſonable price from henceforth than they were wont.

CAP. IV.

The penalty aſſigned by the ſtatute of 12 RICH. II. cap. 4 *for giving or taking of exceſſive wages, ſhall be impoſed upon the taker only.*

Servants wages.

ITEM, whereas in a ſtatute made at *Canterbury*, in the time of King *Richard* the Second, the twelfth year of his reign, certain wages was ordained by the year for bailiffs and other ſervants of huſbandry, and alſo for other ſervants and labourers, as well within cities and boroughs as elſewhere through the realm: and that if any give or take by covenant by the year more than is ſpecified in the ſaid ſtatute, That at the firſt time that they be thereof attainted, as well the givers as the takers ſhall pay the exceſs ſo given, and at the ſecond time the double of the exceſs ſo given: and foraſmuch as the givers, when they have been ſworn before the juſtices of peace, will in no wiſe preſent ſuch exceſſes, to eſchew their own puniſhments, to the great loſs of the King, as of his fines and amerciaments for the concealing, and grievous damage to the lords and other people of the realm, becauſe of the non due puniſhment of the defaults of ſervants and labourers aforeſaid as the King hath perceived by the complaint of his commons: the ſame our ſovereign lord the King hath ordained, That the pain of the giver ſhall be out in this party, and that the pain contained in the ſaid ſtatute ſhall run only upon the taker. And that this ordinance hold place and force till the feaſt of Saint *Michael* next coming, and then till the end of two years then next enſuing.

CAP. V.

***How** merchant ſtrangers ſhall be uſed, and hoſts appointed for them.*

A confirmation of the ſtatute of 5 H. 4. c. 7. & 9. concerning the uſing of merchants ſtrangers.

ITEM, *whereas in a ſtatute made in the time of King* Henry *the Fourth after the conqueſt, the fifth year of his reign, it was ordained and ſtabliſhed, That all the merchants aliens, of what eſtate or condition they be, coming, abiding, or reſident within the realm of* England, *ſhould be entreated and demeaned within the ſame realm in the ſame form, manner, and condition, as the merchants denizens be or ſhall be entreated or demeaned in the parts beyond the ſea, and in no other manner, upon pain to forfeit to the King all the goods and chattels of the ſaid merchants aliens.* (2) *And*

ITEM come en un eſtatut fait en le temps del Roy *Henry* quarte puis le conqueſt lan de ſon regne quint ordeine fuit & eſtablie qe toutz les merchantz aliens de quell eſtat ou condition qils ſoient venantz demorantz ou repairantz deinz le roialme dEngleterre ſoient traitez & demeſnez deinz meſme le roialme en manere fourme & condition come les merchantz deinſzeins ſont ou ſerront traitez ou demeſnez es parties de par dela & en null autre manere ſur peine de forfaire a Roi toutz les biens & chateux des ditz merchantz aliens

liens & ſur peine dempriſonement des corps de meſmes les merchantz aliens. Et enſement ordeine fuit & eſtablie en temps du dit nadgairs Roi *Henry* entre autres choſes par eſtatut qen cheſcun citee ville & port du meer dEngleterre ou les ditz merchantz aliens & eſtranges ſont ou ſerront repairantz ſoient aſſignez a meſmes les merchantz ſufficeantz hoſties par les mairs viſcontz ou baillives des ditz villes & ports du meer & qe les ditz merchantz aliens & eſtranges ne ſoient demurantz en autre lieu ſinon oveſqe les ditz hoſties enſi a aſſignerz & qe meſmes les hoſties enſi a aſſignerz preignent pur lour travaill en manere qe fuit accuſtumez en auncien temps. Et pur tant qe noſtre ſeignur le Roi ad entendu qe meſmes les eſtatutz nont eſte miſez en execution Si voet & grante meſme noſtre ſeignur le Roi treſſoverain qe ycelles eſtatutz ſoient firmement tenuz & gardez en toutz points & mys en due execution de ceo enavaunt ſolonc la contenu en ycelles.

And alſo it was ordained and ſtabliſhed in the time of the ſaid late King Henry, *amongſt other things, by ſtatute, That in every city, town, and port of the ſea of* England, *where the ſaid merchants aliens or ſtrangers be, or ſhall be repairing, ſufficient hoſts ſhall be aſſigned to the ſame merchants by the mayors, ſheriffs, or bailiffs of the ſaid cities, towns, and ports of the ſea*; (3) *and that the merchants aliens and ſtrangers ſhall not remain in other places, but with the ſaid hoſts ſo to be aſſigned*; *and that the ſame hoſts ſo to be aſſigned ſhall take for their labour in the ſame manner as was accuſtomed of old time*: (4) and for that our lord the King hath perceived that the ſame ſtatutes have not been put in due execution, he wiileth and granteth, That the ſame ſtatutes ſhall be firmly holden and kept in all points, and put in due execution from henceforth according to the purport of the ſame.

CAP. VI.

Penalty on Iriſh *prelates for collating an* Iriſhman *to a benefice in* England, *or bringing an* Iriſhman *to parliament to diſcover the counſel of* Engliſhmen *to rebels.*

ITEM, whereas it was ordained in the time of the King's noble progenitors, by a ſtatute made of the land of *Ireland*, That none of the *Iriſh* nation ſhould be choſen by election to an archbiſhop, biſhop, abbot or prior, nor in none other manner received nor accepted to any dignity or benefice within the ſaid land; and now of late many ſuch *Iriſh* people, by force of certain letters of licence to them made by the King's lieutenants there, to accept and receive ſuch dignities and benefices, be promoted and advanced to archbiſhops and biſhops within the ſaid land, which alſo make their collations to *Iriſh* clerks of the dignities and benefices there, againſt the form and effect of the ſaid ſtatute: and whereas they be ſaid peers of the parliament in the ſame land, they bring with them to the parliaments and councils holden there, *Iriſh* ſervants, whereby the privities of the *Engliſhmen* within the ſame land have been and be daily diſ-

Ex edit. Raſt. Ireland. Iriſh nation. Promotion. Collation. Lieutenant in Ireland.

covered to the *Iriſh* people, rebels to the King, to the great peril and miſchief of the King's lawful liege people in the ſame land: our ſovereign lord the King that now is, deſiring for the ſame to provide remedy, for the ſurety of his faithful ſubjects, by the aſſent of the lords aforeſaid, and at the requeſt of the ſaid commons, will and granteth, That the ſaid ſtatute ſhall ſtand in his whole force, and well and duly be kept and fully executed upon his grievous indignation. And moreover he hath ordained and ſtabliſhed, by the aſſent and requeſt aforeſaid, That if any ſuch archbiſhops, biſhops, abbots, or priors, of the *Iriſh* nation, rebels to the King, have in times paſt made, or from henceforth ſhall make any collations or preſentments to benefices of holy church in the ſaid land of *Ireland*, againſt the form of the ſame ſtatute, or bring with them any *Iriſh* rebels amongſt the *Engliſh-men*, to the parliaments, councils, or other aſſemblies, within the ſame land, to know the privities and ſtates of the ſaid *Engliſhmen*, and the ſame to diſcover to the ſaid rebels, that then maintenant from time to time, all their temporalties ſhall be ſeiſed into the King's hands, there to remain till they have made fines to the King in this part. And alſo that all the lieutenants of the King and of his heirs in the ſaid land of *Ireland*, be utterly defended and reſtrained from henceforth, to have any manner of power to give or to grant any ſuch benefices or pardons in the caſe of *Iriſh* perſons, not *Engliſh*. And that all ſuch licences not executed, made and granted by the King's lieutenants in the ſame land before this time, and alſo to be granted by them hereafter, ſhall be void and of no force nor value.

CAP. VII.

In what caſes letters of marque may be granted.

2 H. 5. c. 6.

ITEM, *becauſe our ſovereign lord the King hath heard and conceived, at the grievous complaint of the commons of his realm in this parliament, for that in reſpect of a ſtatute made at his parliament holden at* Leiceſter *the laſt day of* April, *the ſecond year of his reign, in which ſtatute is contained, That the breaking of truce and of ſafe conducts, and willing receit, abetment, procurement, counſel, hiring, ſuſtaining, and maintaining of breakers of truce, and of the ſafe conducts of the King our lord, to be made by his liege people from henceforth within the realm of* England *and* Ireland, *and the country of* Wales, *upon the main ſea, ſhall be judged and determined for high treaſon done againſt the crown*

ITEM pur ceo qe le Roi noſtre ſoverain ſeignur ad oiez & concieu a la grievous compleint de la comminalte de ſon roialme en ceſt preſent parlement de ceo qe par cauſe dun eſtatuit fait en ſon parlement tenuz a Leyceſtre le darrein jour dAverill lan de ſon regne ſeconde en quel eſtatut il eſt contenuz qe les romperies des trieues & ſaufconduitz & voluntries receit abettement procurement conſeil lower ſuſtenance & maintenance des rompours de trieues & ſaufconduitz du Roi noſtre ſoverain ſeignur par ſes lieges affaires delors enavant dedeinz les roialmes dEngleterre & Irland & la paiis de Gales & ſur le haut meer ſoient

ent ajuggez & terminez pur haut traiſon fait encontre la corone & dignite du Roi a cauſe de quell eſtatut combien qe les ſubgitz du Roi ſoient grevez encountre les trieues ils nooſent ſoy purvoier de remedie par voie de fait purtant les ennemys du Roy noſtre ſoverain ſeignur ſibien es parties depar dela la meer come en roiaume dEſcoce en ont pris graunde corage de grever les foialx lieges du Roy en tuant aſcuns de eux & aſcuns en priegnaunt priſoners & auxi en priegnant lour biens & chateux encountre le tenure des trieues ſibien ſur le haut meer come en les marches dEſcoce deſuiſdit dont le ſuiſdit comminalte humblement ad ſupplie noſtre dit ſeignur le Roi de remede voillant le Roi noſtre dit ſeignur en ceo cas & autres toutditz purvoier a lindempnitee de ſes lieges & foiaux ſubgitz ad declarez en ceſt preſent parlement qe de toutz attemptatz faitz par ſes enneinys ſur aſcuns de ſes foialx lieges encountre le tenure daucunes trieuves devant ces heures priſes en les quelles neſt pas fait expreſſe mention qe toutz marques repriſailles ceſſeront meſme noſtre ſeignur le Roi a toutz qi lour ſentiront en tiel cas grevez voet grauntier marque en due forme & pareillement ferra noſtre dit ſeignur le Roi a toutz ſes lieges qi ſe ſentiront grevez encontre le tenure daucuns trieuves qe contre luy & aucuns ſes enemys ſerront de novel priſez en temps avenir. Et a la greindre conſolation de ſes ditz foialx lieges au fyn qils purront pluis preſtement & ſanz longes delaies avoir remede en ceo cas voet meſme noſtre ſeignur le Roi

crown and the King's dignity; (2) by reaſon of which ſtatute, though the King's ſubjects be ſo much grieved againſt the truce, that they dare not provide remedy by way of act, for that the King's enemies, as well in the parts beyond the ſea, as in the realm of Scotland, *have hereof taken great courage to grieve the King's faithful liege people, in ſlaying ſome of them, and in taking ſome of them priſoners, and alſo taking their goods and chattels, againſt the tenor of the truce, as well upon the main ſea, as upon the marches of* Scotland, *whereof the ſaid commons have humbly beſeeched our ſaid ſovereign lord the King to provide remedy*; (3) the King willing, as well in this caſe as in other, to take order for the indemnity of his liege people and faithful ſubjects, hath declared in this preſent parliament, That of all attempts made by his enemies upon any of his faithful liege people, againſt the tenor of any truce taken before this time, wherein is no expreſs mention made, that all marques and repriſals ſhall ceaſe, the ſame our ſovereign lord the King will grant marque in due form to all them that feel themſelves in this caſe grieved, (4) and our ſaid lord the King will do the like to all his liege people that feel them grieved againſt the tenor of any truce, which betwixt him and any of his enemies ſhall be newly taken hereafter. (5) And to the greater comfort of his faithful liege people, to the intent that they may the more readily, and without long delay, have remedy in this caſe, the ſame our lord the King will, That if he or they that feel them grieved againſt the tenor

Letters of marque ſhall be granted to any of the King's ſubjects with whom truce is broken upon the ſea.

The manner how to obtain letters of marque.

tenor and form of ſuch truce within the realm of *England*, out of the ſaid marches of *Scotland*, or upon the ſea, or in the parties beyond the ſea, ſhall complain to the keeper of the privy ſeal, which for the time ſhall be, who after ſuch complaint heard and perceived, thereof ſhall make to the party complainant (if he the ſame require) letters of requeſt under the privy ſeal in a due form. And if, after ſuch requeſt made, the party required do not make, within a convenient time, due reſtitution or ſatisfaction to the party grieved, then the chancellor of *England* for the time being ſhall cauſe to be made to ſuch party grieved (if he that demand) letters of marque under the great ſeal in a due form. (6) And as for remedy to be ordained for the King's liege people and ſubjects, that feel them grieved in the realm of *Scotland*, or in *England* at the marches joining to *Scotland*, againſt the form of ſuch truce as afore is ſaid, our lord the King ſhall give power by commiſſion to the wardens, as well of the Eaſt marches, as of the Weſt marches, toward *Scotland*, and to every of them, to hear the complaints of all them his liege people and ſubjects which be or ſhall be grieved, and to cauſe thereupon to be made requeſt by letters to be delivered to him which hath done, or ſhall do, ſuch grievance, or to the wardens of the marches, or conſervator of the truce of the parties of *Scotland*, if he may well do it; or otherwiſe to make proclamation in open places upon the marches, that he or they which have done ſuch grievances againſt the truce

Letters of marque where truce is broken in Scotland, or the marches thereof. Repealed by 4 Jac. 1. c. 1. ſo far as it concerns the people of Scotland.

Roi qe cellui ou ceux qi ſe ſentira ou ſentiront grevez encountre le teneur & fourme de tielles trieuves dedeins le roialme dEngleterre hors de les ſuiſditz marches dEſcoce ou ſur le meer ou es parties pardela ſoy compleindra ou compleindront au gardein du prive ſeal qi pur le temps ſerra qi tiel compleint oiee & entendue ent ferra pur la partie compleignante lettres de requeſt ſoutz le prive ſeal en due fourme. Et ſi apres tiel requeſt faite la partie requiſe ne ferra dedeinz temps covenable due reſtitution ou ſatisfaction a la partie grevee adonqes le chaunceller dEngleterre pur le temps eſteant ferra faire a tiele partie grevee ſi le voet demander lettres de marque deſoutz le grande ſeal en due fourme. Et qant a purveance de remede pur les lieges & ſubgiz du Roi qi ſe ſentont ou ſentiront grevez en dit roiaume dEſcoce ou en Engleterre es marches adjoignantz au dit roiaume dEſcoce countre la forme de tielles trieuves come deſſuis le Roy noſtre ſeignur dourra poair par commiſſion as gardeins ſibien de lEſt marche come de la Weſt marche vers Eſcoce & a cheſcun de eux pur oier les compleints de toutz yceux de ſes lieges & ſubgiz qi enſi ſont ou ſerront grevez & pur faire ſur ceo eſtre faite requeſt par lettres a bailler a cellui qi ad ou avera fait la grevance ou a gardein de la marche ou conſervatour de les trieves pur la partie dEſcoce ſi ſe purra bonement faire ou autrement de faire proclamation en lieux publiks ſur la marche qe cellui ou ceux qi avera ou averont fait tiels grevances encountre les trieuves ent face ou facent

facent due reſtitution ou ſatisfaction a la partie grevee & ſils ne le facent point dedeins temps covenable adonqes al inſtance de cheſcun des lieges & ſubgiz du Roi noſtre ſeignur qi en ſente ou en ſentira eſtre greveez en tiel cas pur y douner lettres de marque en due fourme deſoutz les ſealx des ditz gardeins ou deſoutz le ſeal de cellui de eux a qi la compleinte ſerra faite en ceo cas ſanz difficulte aucune.

truce, ſhall make due reſtitution or ſatisfaction to the party grieved; (7) and if they do it not within a convenient time, then at the inſtance of every of the King's liege people and ſubjects, which thereof feeleth, or ſhall feel himſelf grieved in ſuch caſe, letters of marque be given in due form under the ſeals of the ſaid wardens, or under his ſeal to whom the complaint ſhall be made in this caſe, without any difficulty.

CAP. VIII.

The King's pardon of the ſuit of his peace, and of certain iſſues loſt.

Ex edit. Raſt. Pardon.

ITEM, our ſaid ſovereign lord the King, for his ſpecial grace, by the aſſent of the lords ſpiritual and temporal, and at the requeſt of the commons, being in this parliament; hath releaſed and pardoned to all his liege people, and to every of them, all manner of fines, iſſues, and amerciaments, and all other forfeitures, pains, pecuniar debts and demands, to the ſum of twenty-ſix ſhillings eight pence and under, till the xix. day of *October*, which was the firſt day of this parliament, fallen, determined, or to be determined. Alſo he hath pardoned all manner of fines and amerciaments of, and for all manner of treſpaſſes, offences, miſpriſions, contempts, conſpiracies, confederacies, negligences, ignorances, concealments, and deceits, done or perpetrate before the ſaid nineteenth day, for which any fine or amerciament is or ſhall be aſſeſſed in time to come to the ſaid ſum and under. And alſo chattels of fugitives and felons, waifes and ſtrays, and the chattels of thoſe that be outlawed, and chattels of felons of themſelves, which to the King pertaineth, or which for any of the ſaid cauſes in any manner may pertain before the ſaid xix. day, to the ſum aforeſaid and underneath forfeit, and of outlawries, if any in the King's liege people, or any of them by ſuch encheſon be pronounced. Provided always that none enjoy the benefit of this pardon, which is or ſhall be charged, or chargeable over the ſaid ſum, for the cauſes aforeſaid, or any of them. And moreover, our ſaid ſovereign lord the King of his ſpecial grace, hath releaſed and pardoned to his ſaid ſubjects, the ſuit of his peace, which to him againſt them pertaineth, becauſe of any treaſon done or perpetrate by them or any of them before the ſaid xix. day of *October*, for breaking of the King's truce and ſafe conducts. And alſo the outlawries, if any againſt them or any of them be pronounced by ſuch encheſons. And alſo the King will, That every of his ſaid liege people, as well of the county palatine of

Lancaſter, or elſewhere within the realm of *England*, ſhall enjoy this pardon without ſuing charter or writ in this behalf.

A ſtatute made at *Weſtminſter*, *Anno* 5 HEN. V. and *Anno Dom.* 1417.

All perſons until the next parliament may make their attornies in wapentakes, hundreds, and court barons.

Ex edit. Raſt. Attorney.

HENRY King, &c. to the ſheriff of *Yorkſhire* greeting. Know thou that in our parliament laſt holden at *Weſtminſter*, it was ordained and granted, That all our liege people, as well religious as ſecular, and every of them, might till the next parliament make their attornies, where attornies do lie in their proper perſons, in any plea of debt, treſpaſs, or other contract, moved or to be moved in any wapentakes, hundreds, and court barons through the realm, before the ſtewards there, or their deputies, to win or to loſe the ſame pleas. And if any ſuch ſtewards refuſe to admit ſuch attornies, then they and every of them at every time of ſuch refuſal, ſhall forfeit to Us forty ſhillings. And therefore We command thee, That thou do the ſaid ordinance in all places of thy county, where ſhall be moſt expedient and neceſſary, openly to be proclaimed and obſerved, according to the form and effect of the ſame: witneſs *John* duke of *Bedford*, protector of *England*, at *Weſtminſter* the xvi day of *January*, the fifth year of our reign.

3 . 5. ſtat. 2. c. 2.

A ſtatute made at *Weſtminſter*, *Anno* 7 HEN. V. and *Anno Dom.* 1419.

A remedy againſt thoſe that indict others of felony committed in a place where there is none ſuch. Proceſs againſt makers, &c. of falſe deeds.

HENRY *King of* England, &c. *to his chancellor in the county palatine of* Lancaſter, *greeting. Know ye, That foraſmuch as divers men of malice and envy, and for gain and revenge, have often cauſed to be indicted and appealed divers of our true liege people, of treaſons or felonies in the county of* Lancaſter, *pretending by thoſe appeals and indictments, that the ſaid treaſons or felonies were committed in a certain*

HENRICUS dei gratia Rex Anglie & Francie & dominus Hibernie cancellario ſuo comitatus palatini Lancaſtrie ſalutem. Sciatis quod pro eo quod gentes nonnulle ex malitia & inimicitia ac propter lucrum & vindictam diverſos fideles ligeos noſtros de proditionibus ſive feloniis in comitatu Lancaſtrie frequentius indictari & appellari fecerunt pretendentes per appella ſeu indictamenta illa

illa quod predicte proditiones aut felonie perpetrate fuerunt in certo loco ubi de veritate talis locus in comitatu predicto in quo appellum vel indictamentum factum exiſtit non habetur ad grave dampnum & periculum ligeorum noſtrorum hujuſmodi conſiderato quod quidam ſic appellati & indictati coram juſticiar' ad reſpondend' inde ob metum verberationis mahemii ſeu interfectionis eorundem per ipſorum appellorum ſeu indictamentorum conſpiratores aut ea fieri procurantes in propriis perſonis comparere non audent prout per communitatem regni noſtri Anglie in ultimo parliamento noſtro apud Weſtm' tento exiſtentem per petitionem ſuam in parliamento illo exhibitam fuerat graviter conquerendo monſtratum ordinatum extitit in eodem parliamento de aſſenſu prelatorum procerum & magnatum dicti regni noſtri Anglie ibidem exiſtentium ad requiſitionem dicte communitatis pro communi utilitate & quiete populi ejuſdem regni noſtri quod quilibet juſtitiarius qui ad hujuſmodi proditiones & felonias infra comitatum predictum audiendum & terminandum poteſtatem habet per ſacramentum duodecim virorum quorum quilibet liberum tenementum in predicto comitatu valoris annui centum ſolidorum ultra repriſas optineat priuſquam exigenda adjudicata fuerit abſque partis allegatione tam in partis abſentia quam preſentia inquirat ex officio utrum aliquis talis locus eſt in comitatu ubi appella ſeu indictamenta illa ſunt facta ſive facienda necne. Et ſi compertum fuerit quod talis locus non habe-

tain place, where of truth no ſuch place is had in the ſaid county where the ſaid appeal and indictment is made, to the great damage and peril of ſuch our liege people, conſidering that ſome ſo appealed and indicted dare not appear before the juſtices in their proper perſons, to anſwer thereof, for fear of beating, maiming, or killing of them, by the conſpirators or procurors of the ſame appeals and indictments, as by the commons of the realm of England, *in our laſt parliament holden at* Weſtminſter, *by their petition there exhibited, grievouſly complaining, was ſhewed:* (2) it is ordained in the ſame parliament, by the aſſent of the prelates and great men of the ſame realm there being, at the requeſt of the ſaid commons, for the common profit and quietneſs of the people of the ſame realm, That every juſtice which hath power to hear and determine ſuch treaſons and felonies within the ſaid county, by the oath of twelve men (of whom every one ſhall have freehold in the ſame county to the yearly value of an hundred ſhillings above all charges) before that the exigent be awarded, without allegation of the party, as well in the party's abſence as his preſence, ſhall inquire of office, whether any ſuch place be in the county where ſuch appeals or indictments be made, or to be made, or not; (3) and if it be found that there is no ſuch place within the ſame county, then ſuch appeals and indictments, and the proceſs thereupon made, or to be made, ſhall be void, and holden for none; and that in ſuch caſe the indictors aforeſaid be puniſhed by impriſonment, fine, and

9 H. 5. ſtat. 1. c. 1.
18 H. 6. c. 12. A remedy againſt thoſe that do indict or appeal others of treaſon or felony committed in a place within the county of Lancaſter, whereas there is no ſuch place.

and ranſom by the diſcretion of the ſaid juſtices. (5) And that this preſent ordinance and remedy extend as well to appeals and indictments not determined before this time, as to appeals and indictments to be taken hereafter; (6) and if any exigent from henceforth be awarded, before that ſuch inquiſition of office, as afore is ſaid, be taken, that the ſame exigent, and the awarding thereof, be likewiſe void and holden for none. *Continued by* 9 Hen. 5. c. 1. *made perpetual* 18 Hen. 6. c. 12.

habetur infra eundem comitatum tunc appella & indictamenta ipſa & proceſſus inde factus ſeu faciendus ſint vacua & pro nullis habeantur et quod in caſu illo indictatores predicti per impriſonamentum finem & redemptionem per diſcretionem juſtitiariorum predictorum puniantur. Et quod preſens ordinatio & remedium tam ad appella & indictamenta non determinata ante hec tempora capta quam ad appella & indictamenta in futurum capienda ſe extendant & ſi que exigenda antequam hujuſmodi inquiſitio ex officio ut ſupradictum eſt capiatur de cetero fuerit adjudicata quod tunc exigenda et adjudicatio ille ſimiliter ſint vacue & pro nullis habeantur.

The like proceſs ſhall be awarded againſt him that maketh and publiſheth falſe deeds by Capias and Exigent, as in writs of treſpaſs. Rep 5 El c.14.

II. Provided that this preſent ordinance have ſtrength, and extend only until the next parliament. (2) And alſo know ye, That in the ſaid parliament, of the aſſent and requeſt aforeſaid, it was ordained and eſtabliſhed, That in writs to be purchaſed againſt thoſe that forge or make untrue charters or miniments, and them proclaim, or cauſe to be read, like proceſs ſhall be made by *Capias* and exigent, as in writs of treſpaſs. (3) And therefore we command you, firmly enjoining, That immediately after the ſight hereof, you cauſe this ſtatute and ordinance openly to be proclaimed in the places within the ſame county where ſhall be moſt expedient and neceſſary, as well within liberties as without; (4) and that alſo you cauſe all and ſingular our juſtices, having power to hear and determine felonies and treaſons within the ſaid county, fully to be inſtructed, and without delay to be certified of the ſaid ordinance and ſtatute by your letters, containing the tenour of the ſame. Witneſs, *&c.* the ſixteenth day of *December*, the

Proviſo quod preſens ordinatio vigorem habeat & ſe extendat uſque ad parliamentum proximo futurum duntaxat. Et ulterius ſciatis quod in parliamento predicto de aſſenſu & requiſitione predictis ordinatum fuerat & ſtatutum quod in brevibus verſus eos qui fabricant ſeu faciunt cartas ſive munimenta minus vera & ea proclamant & legi faciunt perquirendis fiat proceſſus conſimilis per Capias & exigendam ut in brevibus de tranſgreſſione. Et ideo vobis mandamus firmiter injungentes quod ſtatim viſis preſentibus ordinationem & ſtatutum predicta in locis infra comitatum illum ubi magis expediens fuerit & neceſſe tam infra libertates quam extra publice proclamari demandetis necnon omnes & ſingulos juſtitiarios noſtros poteſtatem audiendi & terminandi felonias & proditiones infra comitatum predictum habentes de dictis ordinatione & ſtatuto per literas veſtras

the ſeventh year of our reign. (5) And by petition in the parliament holden at *Weſtminſter* the ſecond day of *December*, the eighth year of the ſame King, a like writ was made; ſaving that the *Teſte* of the ſame writ was, Witneſs *Humfrey* duke of *Glouceſter*, protector of *England*, at *Weſtminſter*, the tenth day of *January*, the eighth year, &c.

veſtras tenorem eorundem continentes plenarie inſtrui & certificari faciatis indilate. Teſte * *Johanne duce Bedfordie* cuſtode Anglie apud Weſtm' x. die *Decembr'* anno regni noſtri *ſeptimo*.

* Humfrido duce Glouceſtrie cuſtode Anglie, &c. decimo die Januarii anno octavo, &c.---Nova ſtatuta.

REX vicecomitibus London' ſalutem. Sciatis quod pro eo quod gentes &c. ut ſupra uſque—ut in brevibus de tranſgreſſione. Et tunc ſic: Et ideo vobis precipimus firmiter injungentes quod &c. ut ſupra uſque ibi —& neceſſe et tunc ſic—publice proclametis ſeu proclamari faciatis. Teſte ut ſupra.

Conſimilia brevia diriguntur ſingulis vicecomitibus per Angliam.

A ſtatute made at *Weſtminſter*, *Anno* 8 HEN. V. and *Anno Dom.* 1420.

AU parlement tenuz a Weſtm' le ſecond jour de Decembr' lan du reigne le Roy *Henry* quint puis le conqueſt oeptiſme meſme noſtre ſeignur le Roy del aſſent des ſeignurs eſpirituelx & temporelx & a les eſpeciale inſtance & requeſt des communes aſſemblez a ceo meſme parlement fiſt ordeiner & eſtablir certeins eſtatutz & ordinances en la fourme qenſuit.

AT *the parliament holden at* Weſtminſter *the ſecond day of* December, *the eighth year of the reign of King* Henry *the Fifth, the ſame our lord the King, by the aſſent of the lords ſpiritual and temporal, and at the ſpecial inſtance and requeſt of the commons aſſembled in the ſame parliament, hath cauſed to be ordained and eſtabliſhed certain ſtatutes and ordinances, in the form following.*

CAP. I.

Parliament writs being awarded in the name of the King's lieutenant, ſhall not be ſtayed by the King's return into England.

FIRST, foraſmuch as by the grace of God a final peace was late taken betwixt the King our ſovereign lord and the King of *France* his father in ſuch form, That our ſaid ſovereign lord the King ſhall be named heir and regent of the realm of *France*, during the life of his ſaid father, and ſhall have the governance of the ſame. And after the death of his father, the ſaid realm and crown of *France* ſhall remain to our ſovereign lord the King, and to his heirs for ever. It is very likely, That for the good governance as well of the realm of *France* as of this realm of Parliament.

of *England*, our ſaid ſovereign lord the King ſome time ſhall be on this ſide the ſea, and ſome time beyond the ſea, according as beſt ſhall ſeem to his ſage diſcretion for the better governance of the one realm and the other: therefore it is ordained and eſtabliſhed, That if in time to come our ſaid ſovereign lord the King, being beyond the ſea, cauſe to ſummon his parliament in this realm by his writs under the (teſte) of his lieutenant, which now is or which for the time ſhall be, and after the ſummons of ſuch parliaments gone out of the chancery, our ſovereign lord the King arrive in this realm, that for ſuch arrival of the ſame our ſovereign lord, ſuch parliament ſhall not be diſſolved, but in the ſame afterward our ſovereign lord the King ſhall proceed without new ſummons of the ſame.

CAP. II.

Certain gold or ſilver ſhall be brought to the mint inſtead of wool or tin tranſported.

Wools. Bullion. Tin.

ITEM, it is ordained and eſtabliſhed, That every merchant ſtranger buying wools in *England* to bring them to the weſt parts or elſewhere, not coming to the ſtaple, there to be ſold, ſhall bring to the maſter of the mint of the tower of *London* of every ſack, one ounce of bullion of gold, and in the ſame manner of three pieces of tin, one ounce of bullion of gold, or the value in bullion of ſilver, upon pain of forfeiture of the ſame wools and tin, or the value of the ſame to the King.

CAP. III.

What things only may be gilded, and what laid on with ſilver.

What things only may be gilded, and what laid on with ſilver.

ITEM, That none from henceforth ſhall gild any ſheaths, nor metal, but ſilver, and the ornaments of holy church; (2) nor ſhall ſilver no metal but knights ſpurs, and all the apparel that pertaineth to a baron, and above that eſtate, upon pain of forfeiture to the King ten times as much as the thing ſo gilt is of value, and ſhall have alſo one year's impriſonment. (3) And the juſtices of peace ſhall have power to inquire thereof, and that to determine. (4) And he that will ſue for the King in this behalf, ſhall have the third part of the ſaid pecuniary pain.

5 H. 4 c. 13. II Provided, That this laſt ordinance ſhall begin to hold place

ITEM qe nulle perſone enorre en temps avenir aſcuns dez gemes appelles ſhethes ne metaille ſinon argent & les ornaments de ſeint eſgliſe ne argente null metaille forſpris les eſperons des chivalers & tout lapparaille qe appertient au baron & deſuis celle eſtate ſur peine de forfaire au Roy dys foitz a tant come la choſe iſſint enorree ſoit de value & avera auxi lempriſonement dun an. Et eient juſtices de la pees poair dent enquerrer & ceo terminer et celuy qi ferra la ſuit pur le Roy ceſte partie ait la terce partie de la dit peine pecuniere.

Purveu qe ceſt darrain ordeinance comencera a tenir lieu a le

a le feſt de Paſk proſchein avenir.

place at the feaſt of *Eaſter* next coming. 5 H.4.c.13.

Satutes made at *Weſtminſter*, *Anno* 9 HEN. V. ſtat. 1. and *Anno Dom.* 1421.

AU parlement tenuz a Weſtm' le ſeconde jour de Maii lan du reigne del Roy *Henry* quint puis le conqueſt noeveſme meſme noſtre ſeignur le Roy del aſſent des ſeignurs eſpirituelx & temporelx & a les eſpeciale inſtance & requeſt des communes aſſemblez a ceo meſme parlement fiſt ordeiner & eſtablir certeins eſtatutz & ordinances en la fourme qenſuiſt.

AT *the parliament holden at* Weſtminſter *the ſecond day of* May, *the ninth year of the reign of King* Henry *the Fifth after the conqueſt*; *the ſame our lord the King, by the aſſent of the lords ſpiritual and temporal, and at the ſpecial inſtance and requeſt of the commons, aſſembled in the ſame parliament, hath cauſed to be ordained and eſtabliſhed certain ſtatutes and ordinances in the form following.*

CAP. I.

A continuance of the ſtatute of 7 Hen. 5. *touching indictments.*

EN primes pur ceo qe pluſeurs gents par malice enemite & vengeance facent ſovent foitz les foialx lieges du Roy eſtre appellez ou enditez en diverſes countes des traiſons ou de felonies ſuppoſant par les ditz appelles ou enditements qe les ditz traiſons & felonies furent faitz en un certein lieu la ou il nad tiel lieu en cell countee ou lenditement eſt fait ne tiel lieu come eſt ou ſerra declaree par les ditz appelles ordeines eſt qe les ditz appelles & enditementz & le proces dicelles ſoient voidez & tenuz pur null et qe les ditz appelles ou enditez poient avoir brieves de conſpiracie vers lour enditours procurours & conſpiratours & recoverer lour damages & qe les ditz enditours procurours & conſpiratours ſoient auxi puniz par empriſonement fyn & raunceon pur avantage du Roy par diſcretion dez juſtices. Et qe ceſt ordinance & remedie ſextendent auxibien des appelles & enditementz priſez devaunt ces heurs en temps noſtre ſeignur le Roy quoreſt nient determinez come des appelles ou enditements aprendrerz en temps avenir et qe ceſt ordinance eſtoiſe en ſa force tanqe a proſchein parlement a tenir puis la revenu noſtre dit ſeignur le Roy en Engleterre de pardela.

FIRST, That the ſtatute made in the parliament holden at *Weſtminſter* in the ſeventh year of the reign of our ſaid lord the King, touching appeals and indictments, ſtand in his force, and hold place, till the next parliament to be holden after the King's return from beyond the ſea into *England*. 7 H.5.c.1. Made perpetual by 18 H.6. c.12.

CAP.

CAP. II.

No perſon outlawed in the county of Lancaſter *ſhall forfeit any lands or goods but ſuch as he hath in the ſame county.*

County of Lancaſter. 4 Inſt. 51.

ITEM, it is ordained, That none of the King's liege people, againſt whom an *Exigend* ſhall be awarded, or outlawed at the King's ſuit from henceforth, or at the ſuit of the party in the county of *Lancaſter*, ſhall forfeit any of his goods or chattels, lands or tenements in other counties, but only ſuch goods and chattels, lands and tenements, which the ſaid outlaws have in the ſame county of *Lancaſter*. Provided always, That the ſtatute made the firſt year of King *Henry* the Fourth, againſt the people of the county of *Cheſter* which do many manſlaughters, murders, robberies, batteries, treſpaſſes and other riots and offences to divers the King's liege people, ſhall ſtand in his force, notwithſtanding this preſent ordinance. And that this ordinance ſtand in his force till the parliament which ſhall be firſt holden after the King's return into *England* from beyond the ſea.

County of Cheſter.

1 H.4.c.18.
18 H.6.c.13.
20 H.6.c.2.
33 H.6.c.2.

CAP. III.

Protections granted to them that be in the King's ſervice in Normandy *or* France, *or which ſhall paſs with him into* France.

Aſſiſes. Protection. Judgement.

ITEM, whereas the taking of aſſiſes hath long ceaſed throughout the realm, becauſe of an ordinance made by the King at his ſecond paſſage towards the parts of *Normandy*, and by his council: the King conſidering the diſeaſes and damage, which many of his liege people have had and ſuſtained by the ſame ceaſing, hath commanded, That his juſtices ſhall hold the aſſiſes through his realm by the manner accuſtomed. And for to eſchew the diſheriſons of ſuch perſons, as now ſhall paſs in this preſent voyage of the King our ſovereign lord (whom God ſpeed) and alſo of ſuch perſons as abide in the King's ſervice in the parts of *Normandy* and *France*: it is ordained and provided, That in every protection with the clauſe *Volumus*, to be made for any of the ſame perſons, in the clauſe of the exception contained in the ſame, omiſſions ſhall be made of theſe words *aſſiſe novel diſſeiſin*. And that all ſuch protection be allowable and allowed for them and every of them, in all the King's courts and elſewhere, where ſuch protection is ſet forth for any ſuch perſon, in all pleas of aſſiſes, as well of *novel diſſeiſin* as of *freſh force*, without difficulty: provided always, That the judgments to be given from henceforth in ſuch aſſiſes, arraigned or to be arraigned, ſhall not be prejudicial to any of the ſaid perſons ſo abiding in the King's ſervice beyond the ſea, (as afore is ſaid) which have any thing in reverſion or in remainder in the lands or tenements, whereof ſuch aſſiſes be or ſhall be arraigned, if they that have in reverſion or remainder in ſuch lands and tenements, be not named in the ſame aſſiſes, but that they be againſt them all void, And this ordinance ſhall endure till the parliament that ſhall be firſt

firſt holden after the King's next return into *England*. And if this ordinance touching the ſaid perſons ſo abiding in the King's ſervice beyond the ſea, and alſo touching the ſaid perſons which have paſſed and ſhall paſs in the ſaid voyage, be not ſufficient for the eaſe and ſurety of them: it is accorded and alſo aſſented, That the lords of the King's council for the time being ſhall have full power by authority of this parliament, to ſet, ordain, and provide ſufficient remedy, for the eaſe and ſurety of all the ſame perſons, as for them and every of them ſhall ſeem to the ſaid lords moſt available and expedient in the caſe, according to their good advice and diſcretions. 4 H. 6. c. 2. 14 Ed. 4. c. 2.

CAP. IV.

The juſtices may amend defaults in records or proceſs after judgment given.

ITEM come ordeine fuit & eſtable en leſtatut fait lan quatorſziſme del Roy E. tierce puis le conqueſt qe pur meſpriſion du clerk en qeconqe place qe ceo ſoit ne ſoit proceſſe du plee anientie ne diſcontinue par meſprendre en eſcrivant un lettre ou un ſilable trop ou trop poy mes ſi toſt come la choſe ſerra apercieu par chalange du partie ou en autre manere ſoit haſtiment amendee en due fourme ſanz doner avantage au partie qe ceo chalengera pur cauſe de tiel meſpriſion le Roy noſtre ſoverayn ſeignur conſiderant la diverſitee doppinions queux len avoit ſur le dit eſtatut & pur mettre la choſe en le pluis overte coniſance ad declares & ordeinez au preſent par auctorite du ceſt parlement qe les juſtices devaunt queux tiel plee ou recorde eſt fait ou ſerra pendant ſibien par adjournement come par voie derrour ou autrement eient poar & auctorite de amender tiels recorde & proces come avaunt eſt dit ſolonc la forme de meſme leſtatuit ſibien apres juggement en tiel plee recorde ou proces renduz come avaunt le juggement renduz en tiel plee recorde ou proces tant come les ditz

ITEM, *whereas it was ordained and ſtabliſhed in the ſtatute made the fourteenth year of King* Edward *the Third after the conqueſt, That for miſpriſion of the clerk in any place whereſoever it be, the proceſs of the plea ſhould not be avoided nor diſcontinued, by miſtaking in writing one letter or ſyllable too much or too little,* (2) *but as ſoon as the thing is perceived, by challenge of the party, or in other manner, it ſhould haſtily be amended in a due form, without giving advantage to the party that challengeth the ſame becauſe of ſuch miſpriſion*; (3) the King our ſovereign lord, conſidering the diverſity of opinions which have been upon the ſaid ſtatute, and to put the thing in more open knowledge, hath declared and ordained at this time, by authority of this preſent parliament, That the juſtices before whom ſuch plea or record is made, or ſhall be depending, as well by adjournment, as by way of error, or otherwiſe, ſhall have power and authority to amend ſuch record and proceſs, as afore is ſaid, according to the form of the ſame ſtatute, as well after judgment in any ſuch plea, record, or proceſs given, as before judgment given

14 Ed. 3. ſtat. 1. c. 6.

Dyer, 342. 5 Co. 45.

The juſtices before whom default ſhall be found in any records or proceſs may amend them as well after as before judgment.

given in any ſuch plea, record, or proceſs, as long as the ſame record and proceſs is before them, in the ſame manner as the juſtices had power to amend ſuch record and proceſs before judgment given by force of the ſaid ſtatute made in the time of the ſaid King *Edward*. (4) And that this ordinance endure till the parliament that ſhall be firſt holden after the return of our ſovereign lord the King into *England* from beyond the ſea.

ditz recorde & proces ſoient devaunt eux en meſme le manere come juſtices avoient poiar de amendre tielx record & proces avaunt juggement renduz par force del dit eſtatuit en temps du dit Roy E. fait come deſuis. Et durrera ceſt ordinance tanqe a parlement qi ſerra tenuz primerement apres la revenue du noſtre ſoverain ſeignur en Engleterre de pardela.

Made perpetual by 4 H.6. c.3.
8.H.6.c.12,15.

CAP. V.

During four years the King may aſſign ſheriffs, &c. to continue in their offices above one year, notwithſtanding the ſtatute of 14 EDWARD 3. ſtat.1. cap.7.

Ex edit.Raſt. Sheriff.

ITEM, whereas by the ſtatute made at *Weſtminſter* the xiv. year of King *Edward* the Third, it was ordained and eſtabliſhed, That no ſheriff ſhould abide in his bailiwick above one year, and that then another convenient ſhould be ſet in his place, which ſhould have lands ſufficient within his bailiwick: and that

Eſcheator.

no eſcheator ſhould tarry in his office above a year. And whereas alſo at the time of the making of the ſaid ſtatute divers valiant and ſufficient perſons were in every county of *England*, to occupy and govern the ſame offices well towards the King and all his liege people, for as much that as well by divers peſtilences within the realm of *England*, as by the wars without the realm, there is not now ſuch ſufficiency: it is ordained and eſtabliſhed, That the King, by authority of this parliament, may make the ſheriffs and eſcheators through the realm at his will, until the end of four years, except in the counties where certain perſons be inherit in ſuch manner offices: the ſaid term to begin at the next election of ſuch officers, notwithſtanding the ſaid ſtatute made the ſaid xiv. year or any other ſtatute or ordinance made to the contrary. And that the ſame officers be perſons ſufficient and of good fame. And that the ſheriffs have due allowance from year to year during the ſame term in their accompts, and alſo pardons, that is to ſay, ſuch as need to have ſuch pardons, and that by the advice of the King's council, and as reaſon and conſcience requireth.

CAP. VI.

The mint ſhall be at Calais.

Calais. Mint. Coinage.

ITEM, the King, for the eaſe of the merchants and other reſiant and abiding at *Calais*, and alſo to the encreaſe of his money, will and hath ordained, That his mint and alſo his coinage ſhall be had and uſed within the ſame town of *Calais*,

as long as ſhall pleaſe the King: ſaving to him that that to him of right pertaineth of the mint and coinage aforeſaid.

CAP. VII.

The ſtatute provided 2 H. 5. ſtat. 1. c. 5. *for offenders in* Tyndal *and* Exhamſhire, *ſhall be extended againſt the like offenders in* Rideſdale.

ITEM come en le parlement tenuz a Leyceſtre le darrein jour dApprill lan del reigne noſtre treſſoverayn ſeignur le Roy qoreſt ſeconde a la grevous compleint fait au Roy illoeqes par certeins ſes communes de ceo qe pluſeurs murdres treſons homicides robberies & autres maffaitz as pluſeurs ſes lieges par gentz demurantz dedeins les franchiſes de Tyndale & Exhamſhire ou brief le Roy ne court mye par favour de celles franchiſes furent perpetres a grande meſchief & peril des ditz lieges du Roy ordeigne fuit & eſtable qe ſi aſcune perſone des ditz franchiſes reſeant ou demurant deinz ycelles de quelle eſtate ou condition il fuiſſe face murdres treſons homicides ou robberies ou conſente de les faire hors des ditz franchiſes proces ſoit fait devers luy par la commune ley tanqe il ſoit utlagee et qe apres tile utlagarie pronuncie & retournee facent ent les juſtices devaunt queux tiele utlagarie ſoit retournee certification a tieux miniſtres ou a tiel miniſtre dez ſuiſditz franchiſes come a eux ſemblera meultz celle partie ſolonc lour diſcretion & ſoit tiel felon pris par tiel miniſtre ou tieux miniſtres & ſes terres & tenementz biens & chatieux eſteantz deinz ycelles franchiſes ſeiſiez es mains des ſeignurs de meſmes les franchiſes pur le temps eſteantz come forfaitz et qe les autres terres & tenementz biens & chatieux de tiel felon

ITEM, *whereas in the parliament holden at* Leiceſter *the laſt day of* April, *the ſecond year of the reign of our ſovereign lord the King that now is, at the grievous complaint made to him there by certain of his commons, for that many murders, treaſons, manſlaughters, robberies, and other offences were committed by divers of the King's liege people dwelling within the franchiſes of* Tyndal *and* Exharnſhire, *by favour of the franchiſe, where the King's writ doth not run, to the great miſchief and peril of the ſaid liege people, (2) it was ordained and ſtabliſhed, That if any perſon of the ſame franchiſes, reſident and abiding within the ſame, of what eſtate or condition that he be, commit any murders, treaſons, manſlaughters, robberies, or conſent to do the ſame out of the ſaid franchiſes, proceſs ſhall be made againſt him by the common law till he were outlawed; (3) and that after ſuch outlawry pronounced, and return made thereof, the juſtices before whom ſuch outlawry ſhall be returned, ſhould thereof make certificate to ſuch miniſter and miniſters of the ſaid franchiſes, as to them beſt ſhould ſeem in this behalf, according to their diſcretion; (4) and ſuch felon ſhall be taken by ſuch miniſter or miniſters, and his lands and tenements, goods and chattels, being within the ſame franchiſes, ſeiſed into the hands of the lords of the ſame franchiſes for the time being, as forfeit; (5) and that the other lands and tene-* 2 H. 5. ſtat. 1. c. 5.

tenements, goods and chattels of ſuch felons out of the ſame franchiſes, ſhall wholly remain to the King, and to other lords having thereof franchiſes, as forfeit; (6) *ſaving always to the King the forfeitures of ſuch murderers, traitors, manſlayers, robbers, and all ſuch offenders, and of other things, which to him pertain as of the right of his crown.* (7) *And foraſmuch as like murders, treaſons, manſlaughters, robberies, conſents, and offences by divers perſons, thieves, and felons,* * Felons called Intakers and Outputters. *called Intakers and Outparters,* * *dwelling within the franchiſe of* Rideſdale, *in which franchiſe the King's writ doth not run, as it is ſaid, have been done now of late in divers places in the counties of* Northumberland, Cumberland, Weſtmoreland, *and elſewhere out of the ſame franchiſe of* Rideſdale, *by favour and ſuccour of the ſame franchiſe, whereof no redreſs towards them hath been had by the laws heretofore uſed, to the great miſchief, peril, and damage of the people ſo grieved, as our ſovereign lord the King, by the grievous complaint to him made in this preſent parliament, hath fully perceived:* (8) our ſaid ſovereign lord the King, willing to remedy the ſame, hath ordained and ſtabliſhed in the ſame parliament, That ſuch proceſs, certificate, and execution ſhall be made hereafter againſt ſuch murderers, manſlayers, robbers, conſenters, and offenders, abiding or reſident within the ſaid franchiſe of *Rideſdale*, for their offences done out of the ſaid franchiſe of *Rideſdale*. (9) And alſo ſuch manner of forfeitures ſhall run in all points, as well to our ſovereign lord the King, as to all other perſons, as it was ordained

The ſtatute provided 2 H. 5 ſtat. 1. c. 5. againſt offenders in Tindale and Exhamſhire ſhall be extended againſt the like offenders in Rideſdale.

felon eſteantz hors de meſmes les franchiſes demurgent entierement au Roy & as autres ſeignurs aiantz ent franchiſe come forfaitz ſalvant toutz foitz au Roy les forfaitures dautiels murdrours traitours homicidours robbours & autres maffaiſours queconqes & dautres choſes queux a luy appertegnent come de droit de ſa corone. Et pur tant qe ſemblables murdres treſons homicides robberies conſentements & maffaites par diverſes perſones larons & felons appellez Intakers & Outputters demurantz deinz ſa franchiſe de Rideſdale en quele franchiſe le brief du Roy ne court mye come eſt dit ont eſtee faitz jatard en diverſes lieus en les countees de Northumbr' Cumbr' Weſtmerl' & aillours hors de meſme la franchiſe de Rideſdale par favour & ſocour de meſme la franchiſe dont null redreſce vers eux nad eſtee eu par les leies ceo enarere uſez a treſgraunde meſchief peril & damage a le poeple iſſint grevez come le Roy par clamous pleint a luy fait en ceſte preſent parlement lad pleinement entendu. Noſtre ſoveraigne ſeignur voillant ceo remedier ſi ad ordeignes & eſtablez en ceo meſme parlement qe autieux proces certification & execution ſoient faitz deſore enavaunt vers tieux murdrours traitours homicidours robbours conſentours & maffeſours demurantz ou reſeantz dedeinz la dit franchiſe de Rideſdale pur cauſe de lour maffaitz faitz dehors meſme la franchiſe de Rideſdale. Et auxi tieux maners forfaitures encourgent en toutz pointz ſibien envers le Roy come envers toutz autres per-

ſones come fuit ordeigne vers les ditz meffaſours de Tyndale & Exhamſhire par le dit eſtatuit fait a Leyceſtre & ſolonc la fourme & equite de meſme leſtatuit ſalvant toutz foitz au Roy ceo qe a luy appertient celles parties come de droit de ſa corone.

dained for the ſaid offenders of *Tyndal* and *Exhamſhire* by the ſaid ſtatute made at *Leiceſter*, and according to the form and equity of the ſame ſtatute; (10) ſaving always to the King that which pertaineth to him in this behalf, as of the right of his crown. 11H.7.c.9. 14El.c.13.

CAP. VIII.

Certain ſcholars of Oxford *to be baniſhed the univerſity for certain offences.*

ITEM, becauſe that many clerks and ſcholars of the univerſity of *Oxford*, unknown, armed, and arrayed in the manner of war, have oftentimes diſſeiſed and put out divers perſons of their lands and tenements in the counties of *Oxford*, *Berks*, and *Bucks*, and alſo have hunted with dogs and greyhounds in divers warrens, parks, and foreſts, in the ſame counties, as well by days as by nights, and taken deer, hares, and conies: and moreover, threatning the keepers of the ſame of their lives, and alſo with ſtrong hand have taken clerks convict of felony by due proceſs of the law, out of the ward of the ordinaries, and thoſe priſoners have brought with them, and let go at large, as the King, by open complaint to him made in this parliament, hath conceived: our ſaid ſovereign lord the King, willing upon the ſame to ſet remedy, hath ordained and ſtabliſhed, That due proceſs ſhall be made againſt ſuch ſcholars wrong doers, for their offences, as the law and alſo the ſtatutes of the land require, according to the caſe till they come to anſwer, or elſe be outlawed. And if any ſuch ſcholar be ſo outlawed, then the juſtices before whom ſuch outlawry ſhall be returned, ſhall certify the chancellor of the ſaid univerſity, for the time being of the ſame outlawry. And that the ſame chancellor, upon ſuch certification had, ſhall do to be baniſhed maintenant, and without difficulty, ſuch outlaws out of the ſame univerſity, upon the pain that pertaineth. And that this ordinance endure till the next parliament be holden, after the King's return from beyond the ſea into *England*. Ex edit. Raſt. Scholars. Oxford. Univerſity. Chancellor.

CAP. IX.

No abbot or prior ſhall be appointed by any biſhop to collect diſmes or ſubſidies out of the county where he dwelleth.

ITEM, foraſmuch as the abbots and priors of the realm of *England*, have had and ſuſtained great damage, loſſes, coſts, and diſeaſes before this time, by that that they have been aſſigned by the archbiſhops and biſhops of the ſame realm of *England*, to gather the diſmes granted to the Kings of *England* by the clergy, very far from their houſes, and alſo in divers dioceſes and counties, as they have ſhewed to our ſaid ſovereign lord the King by their petition delivered in this preſent parliament: the Collectors.

King our ſovereign lord, having thereto conſideration, hath ordained and ſtabliſhed, That no abbot nor prior within the realm of *England*, ſhall be by any archbiſhop or biſhop from henceforth ordained to be collector of any diſmes or ſubſidies, out of the ſame county where he is dwelling or converſant. And this ordinance ſhall ſtand in his force till the parliament, which ſhall be firſt holden after the King's return from beyond the ſea into *England*.

CAP. X.

Keels that carry ſea-coals to Newcaſtle *ſhall be meaſured and marked.*

Explained by 30 Car. 2. ſtat. 1. c. 8. and farther provided for by 6 & 7 W. 3. c. 10.

ITEM, *whereas of every chaldron of ſea-coals, which be or ſhall be ſold to people not franchiſed in the port of the town of* Newcaſtle *upon* Tyne, *two pence be due to the King of cuſtom*, (2) *and in the ſame port be certain veſſels called Keels, by which ſuch coals be carried from the land to the ſhips in the ſaid port; and every of the ſaid keels ought to be of the portage of twenty chaldrons, and according to the ſame portage, the cuſtom is thereof taken to the King's uſe*; (3) *there be now certain people, that of late have made ſuch keels of the portage of twenty two or twenty three chaldrons, whereof the cuſtom hath been taken according to the portage of twenty chaldrons only, in deceit of our lord the King, as he hath perceived by complaint in this parliament*; (4) it is therefore ordained and ſtabliſhed againſt ſuch deceits, that all the keels which now be, and hereafter ſhall be in the ſaid port, ſhall be meaſured by certain commiſſioners thereto aſſigned by the King, and marked of what portage they be, before that any carriage be made by the ſame, upon pain of forfeiture to the King all the veſſels called *Keels*, by which any ſuch coals ſhall be carried, before that they be marked in the manner aforeſaid.

Keels that carry ſea coals at Newcaſtle from the land to the ſhips, ſhall be meaſured by commiſſioners.

ITEM par la ou de cheſcun chaldre de charbons mariſmes qe ſont & ſerront vendus as gents nient y franchiſes en le port del ville del Novell Chaſtell ſur Tyne ſont dues au Roy deux deniers de cuſtume & en meſme le porte ſont certeinz veſſelx appellez Keles par les queux tielx charbons ſont caries de la terre jeſqes a les naefs en le dit port & doit cheſcun des ditz keles eſtre del portage de vint chaldres & ſolonc meſme le portage la dite cuſtume ent eſt pris al oeps du Roy ſont ore certeinz gentz qont fait jatard tieles keles del portage de xxii. ou xxiii. chaldres dont la cuſtume ad eſtee pris ſolonc le portage de xx. chaldres tantſoulement en deceite du Roy ſicome le Roy lad entendu par compleint en ceſt parlement Si ad il ad ordeine & eſtabliz encountre tiele deceite qe toutz les keles qore ſont & ſerront en temps avenir en le dit port ſoient meſures par certeinz commiſſioners a ceo aſſignerz par le Roy & merches de quell portage y ſoient devaunt ceo qe aſcun cariage ſoit fait par icelles ſur peine de forfaire au Roy toutz les veſſelx appellez Keles par les queux aſcuns tieux charbons ſerront caries devaunt ceo qe ils ſoient merchez en le manere avauntdit.

CAP. XI.

No Engliſh *gold ſhall be received in payment but by the King's weight.*

ITEM pur ouſter periles & deceites queux longement ont contenus dedeinz le roialme parmy les lavours tonſours & controfaitours de la moneie dEngleterre a treſgraundes meſchiefs & damages a toutz gents de meſme le roialme le Roy par advis & affent de toutz les ſeignurs & communes aſſemblez en ceſt parlement ad ordeinez & eſtablez qe de la veille del feſte de Novel prochein avenir enavaunt null liege du Roy receivera aſcune moneie dor Engleis en paiement ſinon par le pois du Roy ſur ceo ordeines. Et pur tant qe graunde partie del or de preſent currant en paiment neſt mye de droiturell pois ne de bone allaie y faute ceo remettre a le cune au fyne qil poet eſtre novelment cunez de jouſt pois & bone alleie & ceo ſerra eſtre a graunde perde & coſtages des ſubditz du Roy ſil ne ſuy pleſt eux relever en ceo cas ſi ad le Roy de ſa grace eſpeciale remis & pardonee a toutz ſez liges qi parentre cy & le dit feſt de Novel ferront cuner de novel a le cunage du Roy dedeinz le Toure de Loundres lour monoie dor qe ne ſoit de jouſt pois ne de bone allaie ceſtaſſavoir tout ceo qi a luy appertient pur cell novell cunage de tiel ore come deſuis Salvez a le meſtre del mynte & as autres officers dicelle ceo qi a eux appertient reſonablement.

ITEM, *to avoid the deceits and perils which long have continued within the realm by waſhers, clippers, and counterfeiters of the money of the realm of* England, *to the great loſs and damage of all the people of the ſame realm*; (2) the King, by the advice and aſſent of all the lords and commons aſſembled in this parliament, hath ordained and ſtabliſhed, That from *Chriſtmas* even next coming, none of the King's liege people ſhall receive any money of *Engliſh* gold in payment but by the King's weight thereupon ordained. (3) *And becauſe a great part of the gold now current in payment is not of rightful weight nor of good allay; the ſame* [ſhall be ſent to the coin, to the intent that it ſhall be newly coined of juſt weight and of good allay; and becauſe that] *ſhall be to the great loſs and coſts of the King's ſubjects, unleſs it pleaſe him to relieve them in this caſe*; (4) our ſovereign lord the King, of his ſpecial grace, hath remiſed and pardoned to all his liege people, which betwixt this and the ſaid feaſt of *Chriſtmas* ſhall cauſe to be coined of new at the King's coinage within the *Tower* of *London*, their money of gold that is not of juſt weight nor of good allay, that is to ſay, all that to him pertaineth for this new coinage of ſuch gold as afore; (5) ſaving always to the maſter of the mint, and to other officers of the ſame, that which to them reaſonably pertaineth.

No Engliſh gold ſhall be received in payment but by the King's weight.

The words within Crotchets are omitted in the ſeveral editions of the ſtatutes publiſhed by Pulton, Keble, &c. but are in Raſtal and Mr. Cay

CAP. XII.

Writs purchaſed by the wardens of Rocheſter *bridge, or againſt them, ſhall be good, though ſome of them die or be removed.*

Writs purchaſed by or againſt the wardens of Rocheſter bridge, ſhall be good, though ſome of them die, &c.

ITEM, it is ordained, That all the writs to be purchaſed by the wardens of the new bridge of *Rocheſter*, and their ſucceſſors, or by other againſt them to be purchaſed, ſhall be maintained and continued by the law of *England*; (2) and although that the ſaid wardens, or any of them, be removed or expulſed from their ſaid office, or do die, hanging the ſaid writs, nevertheleſs the ſame writs ſhall ſtand to be good and effectual in the law for ever.

18 El. c. 17.
27 El. c. 25.

ITEM ordeinez eſt & eſtabliz qe toutz les briefs par les gardeins de le novell pont de Roucheſtre & lours ſucceſſours apurchacerz ou par autres encountre eux apurchacers ſoient maintenus & ſuſtenuz par la ley & combien qe les ditz gardeins ou aſcun de eux ſoit ou ſoient amovez ou expulſez de lour dit office ou devie ou deviont pendantz les ditz briefs nientmains meſmes les briefs eſtoient & ſoient bons & effectuelx en ley pur toutz jours.

Other ſtatutes made at *Weſtminſter*, *Anno* 9 Hen. V. ſtat. 2. and *Anno Dom.* 1421.

AT *the parliament holden at* Weſtminſter *the firſt day of* December, *in the ninth year of the reign of King* Henry *the Fifth*, it is ordained by the aſſent of the lords ſpiritual and temporal, and at the requeſt of the commons there aſſembled, &c.

CAP. I.

A confirmation of all ſtatutes made touching money.

Ex edit. Raſt. Money. Gold and ſilver.

FIRST, That all the ſtatutes and ordinances, which have been made in the time of the King's noble progenitors, touching the good and lawful governance of his money of gold and ſilver, not repealed, be well and firmly kept and holden in all points.

CAP. II.

All men may reſort to the King's exchanges, or to the Tower, *to have money new coined.*

Exchange. Money. Coinage.

ITEM, the King, in as much as he conveniently may, ſhall do to be ordained his exchanges of the money of gold and ſilver in the city of *London*, and elſewhere in the realm, for the eaſe of his people, which ſhall be holden in open places in high ſtreets. And that all they that will come to the *Tower* of *London*, there to have money of new coined, they ſhall have money coined

coined, and thereof ſhall be delivered within eight days, according to the very value of that that they ſhall bring thither, paying the ſeignorage and coinage of gold, after the rate of five ſhillings for the pound of the *Tower*, and for the ſeignorage and coinage of ſilver fifteen pence for the pound, and no more. And that they that will not approach the *Tower* to do the ſame, but will be thereof delivered at the exchanges, ſhall pay for the exchange after the rate of a penny for the noble, and for the half noble a halfpenny, and for the fourth part of the noble a farthing, with the ſeignorage and coinage, as afore is ſaid.

CAP. III.

At the King's exchanges good money ſhall be delivered to the parties, or elſe he that doth receive it may refuſe it.

ITEM, That the maſters and workers of the money, and alſo the ſtrangers in all places where money ſhall be coined, made, or changed, ſhall be holden to deliver and pay all that that ought to pertain to them for ſuch exchange of good and lawful money of *England*, by and of juſt weight, or by the number, of the election of him which ſhall receive the ſame without any delay of difficulty. And if percaſe it happen that any notable default in the weight of the money, or in the allay be found (which God defend) upon the delivery or payment to be made at the ſaid *Tower*, or at the exchanges aforeſaid, that then it ſhall be well lawful to every perſon that ſhall find ſuch default, to refuſe that that is defective before that he depart the place where he the ſame ſhall receive. And that the maſter, or the changers be holden to deliver to him ſufficient money for the ſame, without delay, and to melt that that ſhall ſo be found defective. Money. Exchangers.

CAP. IV.

The officers of the exchanges ſhall bring to the Tower *all the gold or ſilver which they buy or exchange.*

ITEM, That they which ſhall be wardens and ſurveyors and miniſters of the exchanges out of the *Tower*, ſhall be holden and bounden to bring all the gold and ſilver that they ſhall receive by way of exchange, or ſhall buy by colour of their office, to the *Tower* of *London*, there to be molten and made in money, in augmentation and increaſe of the money for the profit of the realm and eaſe of the people, without being ſold, alienated, or put to any other uſe. Exchange. Gold and ſilver. Money.

CAP. V.

The mint ſhall be at Calais.

ITEM, That the King's Mint be coined and made at *Calais*, in the manner as it hath been made and governed at the *Tower* of *London*. Mint. Calais.

CAP. VI.

The allay and weight of money.

Money. 3 Init. 92.

ITEM, That all the money of gold and ſilver that ſhall be made at the *Tower* of *London* and at *Calais*, or elſewhere within the realm of *England*, by authority royal, ſhall be made of as good allay, and good weight, as it is now made at the *Tower*.

CAP. VII.

The weight of gold ſhall be ſent to every city.

Weight of the noble, &c.

ITEM, That the King do to be ordained good and juſt weight of the noble, half noble, and farthing of gold, with the rates neceſſary to the ſame for every city, borough, and market town of the realm, to be delivered by the chancellor of *England* to them that will have them, to the intent that they be not deceived by falſe counterfeiters, and them that uſe falſe weight in deceit of the people.

CAP. VIII.

Inquiry and puniſhment of falſities of weights.

Juſtices of peace. Sheriffs. Eſcheators. Weights. 34 Ed. 3. c. 5.

ITEM, That the juſtices of peace, ſheriffs, eſcheators, and other perſons to be aſſigned by the King, ſhall have power by commiſſion to enquire of all falſifiers and counterfeiters of falſe weights, and to take them and impriſon, and in priſon to hold them without mainpriſe, till they be acquitted or attainted, and if they be attainted, their bodies ſhall abide in priſon till they have made fines and ranſoms after the diſcretion of the ſaid juſtices. And that the ſame juſtices have power thereof to inquire, hear, and determine, as often as to them ſhall ſeem neceſſary.

CAP. IX.

The law of exchange between the merchants of Rome *and thoſe of* England.

Exchange

Staple.

Merchants.

ITEM, whereas in another ſtatute, made the fourteenth year of King *Richard* the Second, it was ordained, That for every exchange that ſhall be made by merchants in the court of *Rome*, or elſewhere, that the merchants be firmly and ſurely bounden in the chancery, to buy within three months after the exchange made, merchandiſes of the ſtaple, as wools, leather, woolfels, lead or tin, butter, cheeſe, or cloths, or other commodities of the land, to the value of the ſum ſo exchanged, upon forfeiture of the ſame: and ſuch merchants ſaid in this preſent parliament, That they dare not bind themſelves to obſerve the effect of the ſame ſtatute, becauſe that within three months after ſuch exchanges made, they cannot buy and make ſhipping to paſs ſuch merchandiſes to the parts beyond the ſea (as afore is ſaid) to the value of the ſum ſo changed: and alſo for

for default of ſuch changers there ought to be made ſuch exchange, and by divers colours and ſubtleties the King's money ſhall be of great likelihood privily carried to the parts beyond the ſea, and ſuch merchandiſes (as afore) ſhall not be bought by ſuch merchants changers, to the great damage of the King and of his people and the realm, if in this preſent parliament remedy be not provided: therefore it is ordained in this preſent parliament, for the profit of the King and of his realm, That all merchants that ſhall make ſuch exchanges at the ſaid court of *Rome*, or elſewhere, and every of them, ſhall be bound perſonally in the ſaid chancery by recogniſance, to buy within nine months after the ſame exchanges made, like merchandiſes and commodities as afore is ſaid, to the value of the ſums ſo changed, upon pain of forfeiture of the ſame, notwithſtanding the ſaid ſtatute made the ſaid fourteenth year. And that all the ordinances aforeſaid ſhall endure until the parliament next to be holden. 14 R. 2. c. 2.* 11 H. 4. c. 8.

CAP. X.

Collectors of diſmes, &c. which be charged in account for their companions, ſhall have an action of debt againſt them.

Collectors of xv. & x.

ITEM, whereas divers collectors of diſmes and quinzimes granted to the King of temporal goods, have been aſſigned in every county of the realm, and ſome of them have purpoſed lawfully to yield their account, and ſome not, ſo that when the King's writs have iſſued to the ſheriffs to cauſe the ſaid collectors to come to the exchequer, there for to account, the honeſt true men have come in, and brought the rate of their gathering, and the other by brocage and ſubtlety have abſented them, and will not come and pay their rate there, and ſo the lawful may not be diſcharged, but wholly charged of the ſums which their companions abſent ought to have paid, and alſo oftentimes put in priſon, and their lands and tenements ſeiſed into the King's hands, till they had payed to the King the rate of the gathering of their companions, to the great miſchief and deſtruction of many of the King's lawful ſubjects, as the King hath conceived at the grievous complaint of the commons made here, in this preſent parliament: our ſaid ſovereign lord, by the aſſent of the lords ſpiritual and temporal, and at the requeſt of the ſaid commons, hath ordained, That the collectors of ſuch diſmes and quinzimes, ſhall have recovery by action of debt againſt their companions, of the ſums which they have ſo paid, and ſhall pay for them, with their double damages. And this ordinance ſhall endure till the parliament, which ſhall be firſt holden after the return of the King our ſovereign lord into *England*.

CAP. XI.

Certain roads and bridges about Abingdon *ſhall be repaired.*

8 H. 6. c. 18. This ſtatute is printed only in Mr. Cay's edition.

ITEM come monſtre fuiſt en ceſt parlement par la dite communalte par lour commune petition coment le chemyn qi ſoi extende de la ville de Abendon vers Dorcheſtre en le countee dOxenford outre leaue de Thamyſe par les lieux de Burford & Culhamford parentre les dites villes de Abendon & Dorcheſtre parmy les ſoil & franchiſes & deinz les boundes & franchiſes del abbe de Abendon de ſon manoir de Culham en droit de ſa eſgliſe de noſtre dame de Abendon par quell les lieges du Roy & de ſes progenitours illoeqs paſſantz ont eux lour cariage & franc paſſage ſibien ove charrettes come ove lour chivalx biens chatieux & merchandiſes du temps dont memorie ne court fuit jatard par cretein de eaue a tant ſurunduz qe null purroit illoeqs paſſer ne tieux cariage ſanz peril de perdre lour vies biens chatieux & merchandiſes illoeqs faire tanqe certeinz gentz du dite ville de Abendon de lour propre biens & dalmoigne des gentz la entour enhabitantz ont faitz un pont outre le dite lieu appelle Burford & un autre pont outre le dit lieu appelle Culhamford & eient auxi del aſſent de dit abbe & ſon covent enlargez enhancez faitz & reparailez le dit chemyn parentre les lieux & pontes ſuiſditz en laeure ove les foſſes de meſme le chemyn de ambedeux parties quatre perches & oept pees entout & eient auxi plantes & fiſchez ſur les ripes des ditz foſſes pluis proſchein a chemyn certeins arbres appellez poplers & wyllughes ore creſceantz pur amendement & reparation du dit chemyn as heurs & temps buſoignables en tems avenir Sur qoi conſiderez les grandes aiſe & profit qe aviendront a les lieges du Roy parmy ceux ponts & chemyn ſi qe ils purront continuer del aſſent des ditz ſeignurs & a la requeſte de la dite communalte ordeignez eſt & eſtabliz en ceo meſme parlement qe les ditz ponts & paſſages outre ycelles & auxi le dit chemyn parentre meſmes les ponts de la laeure come deſſuis eſt dit ſoient & remaignent a toutz jours communes ponts paſſages & chemyn as queconqes illoeqs paſſantz ou paſſer voillantz ſibien a chival come a pee & en autre manere & ove toutz maners des cariages & qe liſe a toutz lieges du Roi les ditz ponts paſſages chemyn & foſſes en la laeure & forme ſuiſditz faire reparailler enhancer de novell edifier & eſcurer & autres tieux arbres ſur les ditz ripes de novell planter & ficher & en les ditz foſſes argill marle gravel & terre fower & prendre & de autieux arbres les branches & germmes ſibien de ceux queux ſont ore illoeqes plantez come de ceux qilloeqes ſerront plantez as temps boſoignables & ſeſonables couper & prendre pur la reparation des ponts chemyn & paſſage avantditz ſi ſovent come lour plerra pur toutz jours ſanz impediment ou empeſchement de nully aſcun title ou intereſſe qiqe ſoit des ditz abbe & covent en le ſoil de les eaue paſſages chemyn & foſſes avantditz ou en le ſoil ou leaue en quell les ditz pontz ſont ou ſerront edifiez en les ditz lieux ou en aſcun parcell dicell nient obſtantz. Salve toutfoitz le droit du Roi

&

& ſalvez auxi as ditz abbe & covent & a lour ſucceſſours lour libertees & franchiſes dedeinz & en les ponts chemyn paſſes eaues & foſſes avantditz ſicome ils avoient adevant en les ditz chemyn ſoil & eaue & auxi toute la peſcherie en leaue deſoutz lez ditz ponts & en les foſſes ſuiſditz perpetuelment.

Thus End the Statutes of King HENRY *the Fifth.*

Anno primo HENRICI VI.

Statutes made at *Weſtminſter* in the firſt year of the reign of King HENRY VI. and in the year of our Lord 1422.

AU parlement tenuz a Weſtm' le Lundy proſcheyn devant le feſt de Seint Martyn lan de regne du Roy HENRI ſiſme puis le conqueſt primer meſme le Roy de ladvis & aſſent des ſeignurs eſpirituelx & temporelx & a les eſpecialx inſtance & requeſt des communes dEngleterre eſteantz en meſme le parlement fiſt faire ordiner & eſtablire diverſes ordinances & eſtatutz en la fourme qenſuit.

AT *the parliament holden at* Weſtminſter *the* Monday *next before the Feaſt of* St. *Martin, the firſt year of the reign of our ſovereign lord King* Henry *the Sixth; the ſame King, by the advice and aſſent of the lords ſpiritual and temporal, and at the ſpecial inſtance and requeſt of the commons of the realm of* England, *being aſſembled in this preſent parliament, hath cauſed to be ordained and eſtabliſhed divers ordinances and ſtatutes in the form following.*

CAP. I.

The King's council may aſſign money to be coined in as many places as they will.

EN primes ordeines eſt pur le profit du Roy & laiſe de ſon poeple qe les ſeignurs de le counſell du Roy pur le temps eſteantz purront aſſigner par auctorite du dit parlement meſtres & operers a faire monoie dor & dargent & a tenir les eſchaunges de moneie ſibien en la citee dEverwik come en la ville de Briſtuit & auxi es tants des lieux come ſemblera as ditz ſeignurs bone & neceſſarie ſolonc lour bons advis & diſcretions aſcun eſtatute ou ordinance fait au contrarie non obſtant.

FIRST it is ordained and eſtabliſhed, for the profit of the King, and the eaſe of his people, That the lords of the King's council for the time being may aſſign, by authority of the ſaid parliament, maſters and workmen to make money of gold and ſilver, to hold the exchanges of money as well in the city of *York* as in the town of *Briſtol*, and alſo in as many places as to the ſaid lords ſhall ſeem neceſſary, according to their good advice and diſcretion, any ſtatute or ordinance made to the contrary notwithſtanding.

The King's council may aſſign money to be coined, and exchanges to be held, in as many places as they will.

CAP.

CAP. II.

All the ſtatutes of purveyors ſhall be proclaimed in every county four times in the year.

Ex edit Pult. Every ſheriff ſhall proclaim the ſtatutes of purveyors in his bailiwick four times in the year.

ITEM, That all the ſtatutes and ordinances made of purveyors and buyers, and not repealed, be kept and executed in all points, and alſo proclaimed in all counties through the realm by the King's commandment. (2) And that every ſheriff of the realm of *England*, after that he hath received the ſaid ſtatutes thereof to make proclamation by ſuch commandment, ſhall cauſe them to be proclaimed every year four times through his bailliwick, upon pain to pay to the King at every time that he thereof fails, an hundred ſhillings. (3) And that upon the ſame pain every of the ſaid ſheriffs ſhall deliver the ſaid commandment to his ſucceſſor immediately by indenture to be made betwixt them, whereby he may make like proclamation for the time that he continueth in the ſaid office, for the eaſe and ſurety of the people. (4) And that every ſuch ſucceſſor, after ſuch commandment by him received ſhall make ſuch proclamations four times in the year, and ſhall make ſuch deliverance of the ſaid commandment to his ſucceſſor, as above is ſaid, upon the pain aforeſaid.

20 H. 6. c. 8.
22 Car. 2. c. 24.

CAP. III.

What ſort of Iriſhmen *only may come to dwell in* England.

All perſons born in Ireland ſhall depart out of the realm, &c.

ITEM, foraſmuch as divers manſlaughters, murders, rapes, robberies, and other felonies, riots, conventicles, and divers other offences now late have been done in divers counties of the realm of *England*, by people born in the country of *Ireland*, repairing to the town of *Oxenford*, and there reſiant and dwelling under the juriſdiction of the Univerſity of *Oxenford*, to the great fear of all manner of people in the realm of *England* dwelling thereabout, as by all the commons of the ſame realm aſſembled in the ſaid parliament it was grievouſly complained: (2) our ſaid lord the King by the aſſent aforeſaid, and at the requeſt of the ſame commons hath ordained and eſtabliſhed, that all people

Iriſh perſons excepted which may remain in England.

born in *Ireland*, ſhall depart out of the realm within a month after proclamation made of this ordinance, upon pain to loſe their goods, and to be impriſoned at the King's will; except graduates in the ſchools, and men having benefice of holy church in *England*, and men of law in *England*, and thoſe which be inherit in *England*, and thoſe that have father and mother being *Engliſh* people, religious perſons profeſſed, merchants, burgeſſes, and other inhabitants within cities or boroughs of good fame, which can find ſurety of their good bearing, and *Iriſh* women married to *Engliſh* men, and *Iriſh* men married to *Engliſh* women, which be of good fame: (3) and that all theſe *Iriſh* people which have benefices or offices in the land of *Ireland* ſhall abide there upon their benefices and offices, upon pain to loſe and forfeit the profits of their benefices and offices, for the defence of the

the land of *Ireland* aforeſaid, according to the ordinance made in the time of King *Henry* the Fifth, the firſt year of his reign. (4) And that the graduates and beneficed-men ſhall find ſurety of their good bearing, and that they take not upon them the principality of any hall or hoſtel, but to remain amongſt the *Engliſh* ſcholars under the principality of others. (5) Moreover, that theſe ſcholars of *Ireland* which be no graduates, and be of the King's obeiſance, ſhall find ſurety of their good bearing in the manner as the ſaid graduates ſhould do, in ſuch ſort and form as is aforeſaid. (6) And that all the ſcholars of *Ireland*, being now in *England*, which will here dwell, every of them ſhall bring to the chancellor of *England* for the time being, before the feaſt of St. *John Baptiſt* next coming, letters under the ſeal of the lieutenant or juſtices of *Ireland*, teſtifying that they be of the King's obeiſance. (7) And of them that bring not ſuch letters betwixt this and the ſaid feaſt of St. *John Baptiſt*, it ſhall be done as of rebels to our lord the King. (8) And that from and after the ſaid feaſt of St. *John*, no perſon born in *Ireland* ſhall enter the realm of *England* to dwell in the ſaid univerſity of *Oxenford* or of *Cambridge*, or elſewhere within the realm of *England*, unleſs he bring to the ſaid chancellor of *England* ſuch letters teſtimonials, upon pain to be puniſhed as a rebel to our lord the King.

1 H. 5. c.8. Iriſh men ſhall be no principals of any hall, &c.

An Iriſh man ſhall bring a teſtimonial that he is of the King's obeiſance.

2 H. 6. c.8.

CAP. IV.

The maſter of the mint ſhall ſend to the mint to be coined all the gold and ſilver that ſhall come to his hands by exchange.

ITEM, though it hath been well ordained in times paſt, That he that ſhall be maſter of the mint ſhall in no wiſe hold the King's exchange: nevertheleſs our ſovereign lord the King, by the advice and aſſent of the lords ſpiritual and temporal, and at the requeſt of the commons aforeſaid, will and granteth: That the maſter of the mint at the tower of *London*, which now is, and which for the time ſhall be, may have and hold the King's exchange in the city of *London*, till the parliament next to be holden, ſo that the ſame maſter do to be ſent to the mint all that ſhall come to the exchange in plate or in maſs, to be coined from time to time, until the ſaid parliament, taking for the exchange of the noble in the ſaid exchange i.d.ob. only.

Ex edit. Raſt. Maſter of the mint. Exchange. London. 9 H. 5. c.4. 2 H. 6. c.12.

CAP. V.

A certain allowance made to thoſe which were retained to ſerve King HEN. V. *in his wars. Proviſion for the redemption of the jewels mortgaged by King* HEN. V.

ITEM, at the ſupplication of the ſaid lords and captains that be in life, which have indented with the gracious King *Henry*, father to the King that now is in all his wars, and alſo the executors of them that be commanded to God, which have indented with the ſaid King the father made by their petition, delivered in this parliament: the King by the aſſent of all his lords ſpiritual and temporal, and alſo of all the commons being in this

Gains of war.

this parliament, will and granteth, That the thirds and the third of the third of all manner of gains, gained by way of war, pertaining to the ſaid King the father, the day of his death, as well of priſoners taken as of other gains of war, may be deducted and rebated by lawful account in the King's exchequer, for the ſums of the wages to them due by the ſaid King the father, according to the effect of the indentures thereof made. Provided always, That if of that which upon the ſaid accompt found due by the ſaid accomptants above the ſaid wages, payment be made by them upon the ſame account, then the ſaid ſuppliants, their executors, heirs or landtenants after the ſaid account and gree made, ſhall be thereof quit and diſcharged for ever. And moreover the King will and hath ordained of the ſaid aſſent, That all they, to whom the ſaid King the father hath delivered gages, jewels, and other things, ſhall be before the King's council before the feaſt of St. *John Baptiſt* next coming, with the ſame things and jewels. And in caſe they be not ſatisfied of their duties, or within half a year after the ſame feaſt, then they after the ſaid half year ſhall have all the ſaid jewels and things in peace and without impeachment of the King, paying to the King all that the ſame jewels and things ſhall be found of greater value, than that wherefore they were put in gage, unleſs they be ancient jewels of the crown. And that they and their heirs, landtenants and executors and every of them, ſhall be of the ſame jewels and things, which be not ancient jewels of the crown, quit and diſcharged againſt the King after the half year for ever.

Gage.

CAP. VI.

The ſtat. of 9 HEN. V. C. 9. *touching ſecurity for exchanges to be made by merchants of the court of* Rome, *revived, and continued till the next parliament.*

This ſtatute is printed only in Mr. Cay's edition.

ITEM come bien qe en leſtatuit fait lan du regne del Roy RICHARD ſeconde quatorſziſme ordeinez fuit qe pur cheſcun eſchange qe ſerroit par merchants a la courte de Rome ou aillours les ditz merchants ſerroient fermement & ſeurement liez en la chauncellerie dachater deinz trois mois apres la dit eſchaunge fait merchandiſes de leſtaple come lains quirs peaux lanuz & plumbe ou eſtein bure furmage draps ou autre comoditees de la terre de la value de la ſomme iſſint eſchangee ſur forfaiture dicell nientlemains en le parlement tenuz le primer jour de decembr' lan du regne del Roi HENRY quint noeviſme pur certeins cauſes declarez en icell ordeinez fuit en le meſme pur profit du Roy & du roialme qe toutz merchants qi delors ferroient autiels eſchanges a la courte ſuiſdite ou allours qils & cheſcun de eux ſerroit & ſerroient obligez perſonelment en la chauncellarie ſuiſdite par reconiſance dachater deinz noef mois apres meſmes les eſchanges faitz ſemblables merchandiſes & commoditees come deſſuis eſt dit a la value de les ſommes iſſint eſchanges ſur peine de forfaiture dicelles le dit eſtatuit fait le dit an quatorſzime non obſtant & qe celle darrein ordinance dureroit tank au parlement delors

lors proſcheinement a tenir le Roy pur tant qe ſentuz furent les ditz cauſes iſſint declarez en le dit parlement tenuz le dit an noeviſme reſonables & auxi qe meſme lordinance fuit terminez & expirez par le commencement de ceſt darrain parlement ad ordeinez en ceſt darrein parlement qe toutz les merchantz qi ferroient autielx eſchanges a la dite courte de Rome ou aillours qils & cheſcun de eux ſoient & ſoit obligez perſonelment en la chauncellarie du Roy par reconiſance dachater dedeinz noef mois apres tielx eſchanges faitz ſemblables merchandiſes & commoditees come avaunt eſt dit a la value de les ſommes iſſint eſchaunges ſur peine de forfaiture dicelles non obſtant le dit eſtatuit fait le dit an quatorſzime et qe ceſt preſent ordinance durera tanqe au parlement proſcheinment a tenir.

Statutes made at *Weſtminſter*, *Anno* 2 HEN. VI. and *Anno Dom.* 1423.

HENRICUS Dei gratia Rex Anglie & Francie & Dominus Hibernie vicecomiti Middleſexie ſalutem. Quedam ſtatuta & ordinationes in ultimo parliamento noſtro edita tibi mittimus in forma patenti mandantes quod ſtatuta & ordinationes illa in locis infra ballivam tuam ubi magis expediens fuerit publice ex parte noſtra proclamari & ea quantum in te eſt firmiter obſervari facias juxta tenorem eorundem.

T. meipſo apud Weſtm' primo die Julij anno regni noſtri ſecundo.

AU parlement tenuz a Weſtm' le xxme jour dOctobr' lan du regne del Roy HENRY le ſiſme puis le conqueſt ſecond par avys & aſſent des ſeignurs eſpirituelx & temporelx & a les eſpeciales inſtances & requeſt des communes dEngleterre en meſme le parlement eſteantz certeinz ordinances declarations & eſtatutz furent faitz & eſtabliez al honour de Dieu & pur le bien du Roy & de ſon dit roialme en la forme enſuant.

AT *the parliament holden at* Weſtminſter *the twentieth day of* October, *in the ſecond year of the reign of King* Henry *the Sixth after the conqueſt, by the advice and aſſent of the lords ſpiritual and temporal, and at the ſpecial inſtance and requeſt of the commons of* England *being in the ſame parliament, certain ordinances, declarations, and ſtatutes were made and ſtabliſhed to the honour of* GOD, *and for the wealth of the King and of his realm, in the form following.*

CAP. I.

A confirmation of the liberties of the church, and of all perſons, cities, &c.

ET primes qe ſeinte eſgliſe & toutz les ſeignurs ſpirituelx & temporelx & toutz les autres lieges du Roy aiantz libertees & fraunchiſes & auxi toutz les citees & burghs aient & enjoient toutz lour libertees & fraunchiſes

FIRST, That holy church, and all the lords ſpiritual and temporal, and all other the King's people, having liberties and franchiſes, and alſo all the cities and boroughs, ſhall have and enjoy all their liberties

The liberties of the church and of all cities and boroughs confirmed.

ties and franchiſes well uſed, and not repealed, nor by the common law repealable.

fraunchiſes bien uſez & nient repellez ne par la communeley repellablez.

CAP. II.

A remedy for the maſter, &c, *of the hoſpital of St.* Leonard *in* York, *to recover a thrave of corn due to them*, &c.

The hoſpital of St. Leonard in York was endowed of a thrave of corn of every plough earing within the counties of York, Cumberland, Weſtmorland, and Lancaſter.

ITEM, *whereas the hoſpital of St.* Leonard *of* York, *which is of the foundation of the progenitors of our ſaid lord the King, late Kings of* England, *and of his patronage, in the firſt foundation of the ſame, was endowed, by the ſaid progenitors of the King, of a thrave of corn to be taken yearly of every plough earing within the counties of* York, Cumberland, Weſtmorland, *and* Lancaſter, *within the county of* York, *of which thraves the maſter and brethren of the ſaid hoſpital, and their predeceſſors have been ſeiſed, the time whereof runneth no memory, as parcel of the firſt foundation of the ſaid hoſpital, and the ſame they have levied and gathered at the feaſt of St.* Martin *in winter every year, till now late that divers people of the ſaid counties, within the province aforeſaid, have withholden the ſame thraves, whereof the ſaid maſter and brethren have no ſufficient nor covenable remedy at the common law, to the great damage of the ſaid hoſpital, and open ſubtraction of the ſuſtenance of the ſaid maſter and brethren, if remedy be not for them provided, as complaint was therof made in the ſaid parliament:*

ITEM come loſpitall de ſeint Leonard dEverwyk qi eſt de la fundation de les nobles progenitours noſtre dit ſeignur le Roy jadis Roys dEngleterre & de ſon patronage en la primere fundation dicell eſtoit endowe par les ditz progenitours du Roy dun thrave des blees a prendre annuelment de cheſcun charue arant deinz les countees dEverwyk Cumberland Weſtmerl' & Lancaſtre deinz la province dEverwyk des quels thraves les maiſtre & frers du dit hoſpitall & lour predeceſſours ount eſte ſeiſez du temps dount memorie ne court come parcell de la primer fundation du dit hoſpitall & icelles ount pris levez & coillez al feſt de ſeint Martyn en yver cheſcun an tanqe ore tarde que diverſes gentz dez ditz countees deinz la province ſuiſdite meſmes les thraves ount detenuz dount les ditz maiſtre & frers nount remedie ſufficeant ne covenable a la commune ley a graunt anienteſſement du dit hoſpitall & overt ſubtraction del ſuſtenaunce des ditz maiſtre & frers ſi lour ne ſoit purveu de remedie come de ceo fuit compleint en le dit parlement le Roy conſidere les premiſſes del aſſent & requeſt avauntditz ad ordeinez & eſtabliez qe les ditz maiſtre & frers & lour ſucceſſours pur le temps eſteantz puiſſent lever coiller & prendre les ditz thraves deinz le province ſuiſdite en les lieux ou il devent de droit

The remedy which the maſters of St. Leonard's hoſpital ſhall have to recover their duties.

(2) The King conſidering the premiſſes, of the aſſent and requeſt aforeſaid, hath ordained and ſtabliſhed, That the ſaid maſter and brethren, and their ſucceſſors for the time being, may levy, gather, and take the ſaid thraves within the province aforeſaid, in the places where they

droit & ſoloient ſolonc la cuſtume & uſage en meſmes les lieux euz parcevant. Et auxi q[illegible] meiſtre & ſes ſucceſſ[illegible] ur le temps eſteantz aient [illegible] temps en temps action par briefs ou pleintz de dette ou de detenu a lour pleſir envers toutz ceux & cheſcun de eux qi meſmes les thraves enſi de droit au dit hoſpitall duez detiegnent ou aſcun partie dicell pur recoverer devers eux & cheſcun deux les ditz thraves ovec lour damages enz cell partie.

Purveu toutz foitz qe les parties ovec queux les ditz meiſtre & frers ou lour predeceſſours ſont accordez pur tielx thraves par compoſitions entre eux faitz & enſealez ne ſoient chargez de pluis qe neſt compris en meſmes les compoſitions pur les poſſeſſions qe les ditz parties avoient al temps del feſance des compoſitions avauntditz.

they ought of right, and were wont, after the cuſtom and uſage had in the ſame places heretofore. (3) And alſo that the ſame maſters and ſucceſſors for the time being ſhall from time to time have actions by writs or plaints of debt or detinue at their pleaſure, againſt all them and every of them that detain the ſame thraves ſo of right due to the ſaid hoſpital, or any part of them, to recover the ſaid thraves againſt them, and every of them, with their damages in this behalf.

II. Provided always, That the parties with whom the ſaid maſter and brethren, or their predeceſſors, be accorded for ſuch thraves by compoſitions made and ſealed betwixt them, ſhall of no more be charged than is compriſed within the ſame compoſitions for the poſſeſſions that the ſaid parties had at the time of the making of the aforeſaid compoſitions.

A remedy for the proprietors which have compounded with the maſter and brethren.

CAP. III.

John *duke of* Bedford, *being in the King's ſervice in* France, *ſhall be received to defend his right by attorney.*

ITEM, it is ordained and aſſented, That *John* duke of *Bedford*, uncle to our ſovereign lord the King, which is beyond the ſea in the parts of *France* in the King's ſervice, in all manner of pleas moved and to be moved againſt any perſon or perſons of lands and tenements, the reverſion or remainder whereof is to the ſaid duke joint or ſeveral to his own uſe, he ſhall be by his attorney or attorneys received to defend his right. And in the ſame manner ſhall have and enjoy all manner benefits and advantages, as if he were preſent in his proper perſon. And that this ordinance extend as well to receipts of reverſions and remainders, to be purchaſed and gotten to the ſaid duke jointly or ſeverally to his own uſe, as to receipts of reverſions and remainders, which he now hath, as long as he ſhall be in the King' ſervice beyond the ſea.

Ex edit. Raſt.

Attorney.

CAP.

CAP. IV.

All merchandiſes of the ſtaple paſſing out of England, Wales, *and* Ireland, *ſhall be carried to* Calais, *ſo long as the ſtaple is at* Calais.

Staple. ITEM, whereas the noble King *Edward* the Third did ordain his ſtaple to be at *Calais*, and that the whole repair of wools, woolfels, leather, lead, tin, butter, cheeſe, and other merchandiſe, except woolen cloths, and red herring paſſing out of the realm of *England*, and his lands of *Wales* and *Ireland*, and his town of *Berwick* upon *Tweed*, ſhould be at the ſaid town of *Calais*. And after at a parliament holden in the firſt year of King **Calais.** *Henry* the Fourth it was ordained, That the ſtaple of wools, woolfels, leather, lead, and tin, ſhould be wholly at *Calais*: ſaving that merchants of *Genoa*, *Venice*, *Catalonia*, *Arragon*, and other realms, lands and countries, towards the weſt, being of the King's amity, may ſhip at *Hampton* in carraks, ſhips, galleys, and other veſſels, wools, woolfels, leather, lead, tin, and other merchandiſes of the ſtaple, and bring them into their country towards the weſt, after the form of the ſtatute thereof made in the ſecond year of King *Richard* the Second after the conqueſt. And alſo ſaving to the burgeſſes and merchants of *Berwick* upon *Tweed* certain benefits to bring the wools of the growing between the waters of *Tweed* and *Cocket*, to the ſaid place of *Berwick*, and **Berwick.** and to ſhip them towards what parts it ſhall pleaſe them beyond the ſea. And alſo whereas the ſaid ſtatutes in the parliament holden at *Weſtminſter* in the ſecond year of the reign of King *Henry* the Fifth, father to our ſovereign lord the King that now is, were confirmed, and moreover it was ordained in the ſame parliament, That no wools, woolfels, leather, lead, tin, whole or founded, called ſhoten tin, nor none other merchandiſe of the ſtaple whatſoever it were, ſhould from henceforth be ſent or brought to any parts beyond the ſea, except they were firſt carried to the ſaid ſtaple, after the form of the ſaid ordinance made the **Merchandiſe of the ſtaple.** ſaid firſt year, upon pain of forfeiture of all the merchandiſes in ſuch manner ſent or brought out of the ſaid realm, unleſs it be by the King's licence. And except all perſons, goods, and things which be excepted in the ſame ordinance, made the firſt year, as in the ſaid ſtatutes is more fully contained. Nevertheleſs, the **Shoten tin.** leather, and founded tin, called ſhoten tin, bought and provided here in *England*, have not been brought to the ſaid ſtaple of *Calais*, after the form of the ſaid ſtatutes, but doth paſs into *Flanders*, *Holland* and *Zealand*, to the great damage and diminiſhing of the cuſtoms and ſubſidies due to the King, if they were brought to the town of *Calais*. The King willing to eſchew the damage and diminution, by the advice and requeſt aforenid, hath ordained and eſtabliſhed, That all the ſtatutes thereof made and not repealed, be holden and kept, and put in due execution. And that the whole repair of wools, woolfels, leather, lead, whole tin, and ſhoten tin, and all other mer-

merchandiſes pertaining to the ſtaple, paſſing out of the realm of *England*, and of the counties of *Wales* and *Ireland*, be at the ſaid place of *Calais*, and at none other place beyond the ſea, as long as the ſaid ſtaple ſhall be at *Calais*, upon pain of forfeiture of the very value of the merchandiſes, which ſhall paſs elſewhere but to the parts towards the weſt, named in the ſaid ſtatutes thereof made. And that no licence from henceforth be granted to the contrary: except for wools, fells, and leather of *Northumberland*, *Weſtmoreland*, *Cumberland*, and the biſhoprick of *Durham*, ſaving the King's prerogative. Provided always, That if any merchants under colour of any licence ſhip any wools of of the growing of any part of *Yorkſhire*, or of any other country of the realm, except of the growing of the ſame parts of *Northumberland*, *Weſtmoreland*, *Cumberland*, and the biſhoprick of *Durham*, they ſhall forfeit to the King the value of all the wools ſo ſhiped, and alſo they ſhall loſe the benefit of the ſame licence. And he that the ſame eſpieth, and thereof giveth knowledge to the treaſurer of *England* for the time being, ſhall have the fourth part of the forfeiture ſo by him notified. Merchants.

CAP. V.

The penalty if any carry wools or fells not cuſtomed out of the realm to any place, ſaving to Calais.

ITEM, becauſe that a new ſhipping is found in the pille of *Foddray* in the county of *Lancaſter*, out of which pille and other creeks within the realm much wools be brought to *Ermouth* in *Zealand*, and to many other places beyond the ſea, without cuſtom or ſubſidy thereof duly paying to the King, and the merchants come to *Dublin* in *Ireland*, and there take their cockets, and pay for every ſtone of wool to their proper uſe ij.d. as the King hath been thereof credibly informed in the ſaid parliament, to the King's great deceit and fraud: it is ordained and eſtabliſhed, That if any perſon bring or cauſe to be brought any wools or woolfels not cuſtomed out of the realm, to other places than to the ſaid ſtaple, he ſhall forfeit to the King the value of the merchandiſes ſo ſhipped, and his body to priſon, till he hath made and paid a fine and ranſom. And that he that thereof giveth knowledge to the treaſurer of *England* for the time being, and the treſpaſſer for the ſame duly convict, ſhall have the fourth part of the forfeiture due to the King in this behalf. Cuſtom. Staple.

CAP. VI.

For what cauſes only gold or ſilver may be carried out of the realm.

ITEM come par le Roy *Henry* le quint pier a noſtre ſeignur le Roy qoreſt eſtoit ordeignez qe un mynt dor & dargent ſerroit tenuz dedeins ſa ville de Caleys par la quell graunde ſubſtaunce de monoie dor & dargent

ITEM, *whereas by King* Henry *the Fifth, father to our lord the King that now is, it was ordained, That a mint of gold and ſilver ſhould be holden within the town of* Calais, *whereby great ſubſtance of money of gold and ſilver* A confirmation of the ſtatute of 9 H. 5. c. 6. that the mint ſhall be at Calais,

ver hath been brought within the realm, (2) *which money by divers perſons hath been, and is daily, carried out of the ſame to* Bourdeaux, Flanders, *and other places, againſt the ſtatute in old times made and provided in this behalf, as hath been grievouſly complained in this parliament*; (3) it is ordained and aſſented, That the ſame ſtatute be holden and kept, and put in due execution. (4) And moreover it is ordained and eſtabliſhed, That no gold nor ſilver ſhall be carried out of the realm contrary to the ſaid ſtatute, unleſs it be for payment of wars, and the King's ſoldiers beyond the ſea, upon pain of forfeiture of the value of the ſum of money ſo carried out of the realm, to be levied of him that ſhall bring, carry, or ſend it out of the ſame realm: (5) and that he which eſpieth it, and thereof giveth knowledge to the council, or to the treaſurer of *England*, ſhall have the fourth part of the forfeiture ſo due to the King, (6) except the ranſoms for fines of *Engliſh* priſoners taken and to be taken beyond the ſea, and the money that the ſoldiers ſhall carry with them for their reaſonable coſts, (7) and alſo for horſes, oxen, ſheep, and other things bought in *Scotland*, to be ſent and carried to the parties adjoining; (8) ſo that the money to be ſent for the fines of the ſaid priſoners, or to be carried by the ſaid ſoldiers to the parties beyond the ſea, be not done without the King's ſpecial licence. (9) And becauſe it is ſuppoſed that the money of gold of the realm is carried out of the ſame by merchants aliens, it is ordained and ſtabliſhed, That the

dargent ad eſte apportez deinz le roialme la quelle monoie par diverſes perſones ad eſte & eſt de jour en autre aſportez hors dicell a Burdeaux & Flaundres & aillours encontre leſtatut fait & purveux celle partie daunciene temps come de ceo ad eſtee grevouſement compleint en ceſt parlement ordinez eſt & aſſentuz qe meſme leſtatut ſoit tenuz & gardez & mys en due execution. Et en outre ordinez eſt & eſtablez qe null or ou argent ſoit aſportez hors du roialme au contrarie du dit eſtatut ſil ne ſoit pur paiement des guerres & ſoudiours du Roy de pardela ſur paine de forfaiture de la value de la ſomme del monoie qenſi ſoit apportez hors de roialme deſtre levee de celuy qi la meſnera aſportera ou envoiera hors dicell & qe celluy qi leſpiera & ferra ent notice au conſeill ou au treſorer dEngleterre avera la quart partie de la forfaiture enſy duez au Roy forſpris les raunceons pur finaunce des priſoners Englois priſez & apprendres de pardela & la monoie qe les ſoudeours emporterount ovec eux pur lour reſonables coſtages & auxi pur chivalx boefs berbeis & autres choſes acchatez en Eſcoce apporterez ou ameſnerez as parties adjoinantz iſſint qe la monoie a envoïer pur finance des ditz priſoners ou a emporter par les ditz ſoudeours as parties de pardela ne ſoit fait ſanz eſpeciale licence du Roy. Et pur ceo qil eſt ſuppoſez qe la monoie & lor du roialme eſt aſportez hors dicell par merchauntz aliens ordeinez eſt & eſtabliez qe les merchantz aliens trovent ſeurtee en la chauncerie cheſcune compaignie pur ceux de

No gold or ſilver ſhall be carried forth of the realm, but for the cauſes herein excepted.
9 Ed. 3. ſtat. 2. c. 1.
5 R. 2. ſtat. 1. c. 2.
2 H. 4. c. 5.
17 Ed. 4. c. 1.

Merchants aliens ſhall be bound to carry no gold out of the realm.

ſa

ſa compaigne qe null deux nameſnera hors du roialme null or nargent contre la forme du dit eſtatut ſur la peine de forfaiture dicell or ou argent ou de la value dicell & ſi aſcun de eux face le contrarie & ceo duement provez & celuy enſy feſaunt ſoit alez outre le meer adonqes les plegges de la compaigne paierount au Roy la forfaiture ſuiſdite dont celly qi lavera eſpiez & le done a conuſtre au treſorer ou a conſeill du Roy avera la quart partie come deſuis.

the merchants aliens ſhall find ſurety in the chancery, every company for them of their company, that none of them ſhall carry out of the realm any gold or ſilver againſt the form of the ſaid ſtatute, upon pain of forfeiture of the ſame gold or ſilver, or the value of the ſame; (10) and if any of them do the contrary, and that duly proved, and he ſo doing be gone over the ſea, then the pledges of his company ſhall pay to the King the ſaid forfeiture, whereof he that ſhall eſpy it, and thereof give notice to the treaſurer, or to the King's council, ſhall have the fourth part as is aforeſaid.

CAP. VII.

The penalty of a cordwainer uſing the myſtery of a tanner.

ITEM, becauſe that the leather tanned by cordwainers, uſing the myſtery of tanners, and alſo much of the leather tanned by the tanners, is ſo deceitfully tanned, that the boots, ſhoes, and other neceſſaries thereof made, be in a ſmall ſeaſon waſted and deſtroyed, becauſe of the evil tanning of the ſaid leather, to the great deceit and loſs of the commonalty of the realm: it is ordained and eſtabliſhed, That if any cordwainer dwelling in the realm of *England*, uſe the myſtery of tanner, during the time that he uſeth the myſtery of cordwainer, that he ſhall forfeit to the King for every hide by him, or by any other to his uſe tanned vi. s. viii. d. And that if the cordwainers find any notorious default in the leather, tanned by the ſaid tanners, or to be tanned, that the tanner of the ſame leather ſo defective, ſhall forfeit to the King in the ſame manner for every hide ſo defective vi. s. viii. d. And that he that will ſue ſhall have the one half for his labour, and the King the other half. And that the juſtices of the one bench and of the other, juſtices of aſſiſes, juſtices of peace, the juſtices of *Cheſter* and *Lancaſter*, and mayors of cities and boroughs, having power as juſtices of peace, ſhall have power to enquire, hear and determine the articles and matters aforeſaid, as well at the King's ſuit, as the parties, or to attaint them by examination, as well at the ſuit of the King as of the party, by the diſcretion of the juſtices and mayors aforeſaid. And that this ordinance and ſtatute begin to hold place and be put in execution at the feaſt of *Chriſtmas* next coming.

Ex edit. Fat. Cordwainers. Tanners.

Leather.

Juſtices of peace.

Rep. 5 Eliz. c. 8. & 1 Jac. 1. c. 22.

CAP. VIII.

Iriſhmen *reſorting into the realm, ſhall put in ſurety for their good abearing.*

Ex edit. Pult. 1 H. 6. c. 3.

ITEM, whereas it is ordained in the laſt parliament amongſt other things, That all people born in *Ireland*, ſhall depart out of the realm within a month next after proclamation made of the ſaid ordinance, upon pain to loſe their goods, and to be impriſoned at the King's will, except certain perſons in the ſame ordinance excepted, (2) and that the graduates and beneficed-men ſhould find ſurety of their good abearing, that they ſhould not take upon them the principality of any hall or hoſtel, but to remain amongſt other *Engliſh* ſcholars under the principality of other, (3) and alſo thoſe ſcholars of *Ireland* that be not graduates, and be of the King's obeiſance, ſhall find ſurety of their good abearing in the manner as the ſaid graduates ſhall do in the form aforeſaid. (4) And that all the ſcholars of *Ireland* being elſewhere in *England*, that will here abide, ſhall bring every of them by himſelf to the chancellor of *England* for the time being, before the feaſt of St. *John Baptiſt* laſt paſt, letters under the ſeal of the lieutenant or juſtices of *Ireland*, witneſſing that they be of the King's obeiſance. (5) And that all of them that bring not thoſe letters before the feaſt of St. *John*, it ſhall be done as of rebels to the King. (6) And from this feaſt of St. *John* forward, no perſon born in *Ireland*, ſhall enter the realm of *England* to abide in the univerſity of *Oxford* or *Cambridge*, or elſewhere within the realm of *England*, unleſs he bring to the ſaid chancellor ſuch letters teſtimonial, upon pain to be puniſhed as rebels to the King.

II. And foraſmuch as in the ſaid ordinance no mention was made, before whom nor in what manner the ſurety of good abearing as before, ſhall be found: it is ordained and eſtabliſhed, That the chancellors of the univerſities of *Oxford* and *Cambridge* for the time being, every of them within his juriſdiction, ſhall take the ſureties to be taken of ſcholars within the ſame univerſities, and certify the ſame into the King's chancery. (2) And that the juſtices of peace within the counties, and mayors and bailiffs within cities and boroughs enfranchiſed, have power to take before them ſuch manner of ſurety of good abearing, and to do execution upon them which ſhall abide, or do againſt the ſaid ordinance from henceforth.

Who ſhall take ſureties of Iriſhmen that will reſort into the realm according to the ſtatute of 1 H. 6. c. 3.

CAP. IX.

The money called blanks ſhall be wholly put out.

ITEM, it is ordained, That proclamation be made through all the counties of *England* within franchiſes and without, and within cities, towns, boroughs, and elſewhere, that all the money called blanks ſhall be wholly out and voided out of the realm before the feaſt of St. *John Baptiſt* next coming. And moreover that no man after the ſaid feaſt pay or receive for payment

The money called blanks ſhall be wholly put out.

iment in any manner within the ſaid realm, the ſaid money called blanks, upon the pain contained and ordained by a ſtatute made the third year of King *Henry*, father to our lord the King, againſt all that pay or receive for payment the money called gally halfpence, ſuſkin, and dotkins within the realm. 3 Inſt. 92. St. 3. H. 5. c. 1.

A penalty on deceitful workers of gold and ſilver embroidery.

ITEM pur ceo qe diverſes defautes ſont trovez en loveraigne de diverſes perſons occupiantz le miſtier de brouderie ordeinez eſt & aſſentuz qe tout loveraigne & ſtuff de brouderie dor ou dargent de cipre ou dor deLuke mellee ovec laton de Spayne & mys a vent en deceit des lieges du Roi ſoit forfait au Roy ou as ſeignurs & autres aiantz fraunchiſes dautielx forfaiturs ein quy franchiſe autiel overaigne ſoit trovee. Et durera ceſt ordeinance tanqe al parlement procheinment avenir. These articles are printed only in Mr. Cay's edition.

Concerning the reverſal of outlawries pronounced againſt perſons whilſt abroad in the King's ſervice.

ITEM ordeinez eſt & aſſentuz qe ſi aſcun utlagarie ſur aſcun homme eſteaunt hors du roialme en le ſervice de Roy ovec luy meſmes ou deſoubz aſcun capitain ſoit pronuncie & ſur ceo le Roy ou le capitain morege devant qe tielz utlagariez ſoient reverſez & la partie qe purſue de reverſer aſcune tiel utlagarie a cauſe ſuſdit voet allegger ſon capitain deſtre mort qe adonqs ſa demoeure al temps des ditz utlagaries ſoit certifiez par les executours ou miniſtrours des tielx capitains ou clerkes de lours monſtres ou aſcun autre notable perſone ſolonc la diſcretion des juſtices en meſme le manere come le capitain ceo deuſt avoir certifiez ſil feuſſe en vie purveux toutfoitz qe laverrement ſoit receu pur noſtre ſeignur le Roy qe le captain eſt en plein vie & auxi qe la partie feuſt en Engleterre en temps de tielx utlagaries pronunciez ſi avant come ad eſte fait devant ces heurs en cas qe le capitain fuiſt en plein vie. Et durera ceſt ordenance tanqe al parlement proſcheinment avenir.

The juſtices ſhall inquire into and remove certain nuiſances on the Thames.

ITEM pur ceo qe deu ſerche & correction neſt pas fait en leawe de Thamiſe dehors les bounides de la fraunchiſe de Loundres en les countes de Surr' Kent & Eſſex plouſours meſchiefs ore tarde ount eſtee faitz de deſtruction des gentz niefs & merchandiſes & frie de peſſon par les weres kydelles & trunkes la eſteantz noeſantz ordeinez eſt & aſſentuz qe ſeverälx commiſſions ſoient faitz as juſtices de pees des ditz countez pur le temps eſteantz denquerrer des tieux noiſantz dehors la dite fraunchiſe de Londres ſi ſovent come boſoigne ſoit & de certifier de temps en temps en le bank le Roy ceo qent ſerra trovee par les inquiſitions enſi affairs & facent les juſtices de dit banke ſur les ditz certifications autielx proceſſes envers eux qenſi ſerront trovez treſpaſſours come lour meulx ſemblera par la ley & facent eux remoever lour anoeſantz enſy faitz ſalvez a cheſcun ſon droit & title en les weres kydelx & trynkes avauntditz. Et durera celle ordinaunce tanqe al parlement proſcheinment avenir. Poſt, c. 15.

CAP. X.

What manner of inferior officers ſhall be appointed in the King's courts.

What manner of inferior officers ſhall be appointed in the King's courts by ſuperior officers.

ITEM, to the intent that better and more ſure government be had within the courts of our lord the King, for his profit, and eaſe of his people, which have to purſue and to do in the ſame; it is ordained and ſtabliſhed, That all the officers made by the King's letters patents royal within the ſaid courts, which have power and authority, by virtue of their offices of old times accuſtomed, to appoint clerks and miniſters within the ſame courts, ſhall be charged and ſworn to appoint ſuch clerks and miniſters, for whom they will anſwer at their peril, which be ſufficient, faithful, and attending to that which pertaineth to them in performance of the buſineſs, as well of the King as of his people.

4 Inſt. 114.

ITEM al entent qe le pluis bone & ſeure governaunce ſoit euz dedeins les courtes noſtre ſeignur le Roy a ſon profit & al eaſe de ſon poeple qont a purſuer & affaire en ycelles ordeinez eſt & eſtabliz qe toutz les officers faitz par lettres patentz roialx deins les ditz courtes qont poiar & auctorite par vertue de lour office dauncien temps accuſtumes de faire clercs & miniſtres deins meſmes les courtes ſoient chargez & jurrez de faire tielx clercs & miniſtres pur qels ils voillent reſpoundre a lour perill qi ſoient ſufficeantz foialx & entendantz a ceo qe a eux appertient au eſploit ſibien de les boſoignes du Roy come de ſon poeple.

CAP. XI.

The ſeveral meaſures of veſſels of wine, eels, herrings, and ſalmons.

ITEM, *whereas in old time it was ordained and lawfully uſed, That tuns, pipes, tertians, hogsheads of* Gaſcoigne *wine, barrels of herring and of eels, and butts of ſalmon, coming by way of merchandiſe into this land out of ſtrange countries, and alſo made in the ſame land, ſhould be of certain meaſure; that is to ſay, The tun of wine* CC lii. *gallons, the pipe* C xxvi. *gallons, the tertian* lxxxiv. *gallons, the hogshead* lxiii. *gallons, the barrel of herring and of eels* xxx. *gallons fully packed, the butt of ſalmon* lxxxiv. *gallons fully packed; nevertheleſs, by device and ſubtilty now late ſuch veſſels have been of much leſs meaſure, to the great deceit and loſs of*

ITEM combien qen auncien temps fuiſt ordeinez & loialment uſez qe toneux pipes tercians hoggeſhedes de vyn de Gaſcoigne barelles de harank & danguilles & buttes de ſamon veignant par voie de merchandiſe en ceſt terre hors des eſtraunges pais & auxi faitz en meſme la terre ſerroient de certein meſure ceſtaſſavoir le tonell de vyn de xx xij & xii galons le pipe de xx vi & vi galons la tercian de xx iiij & iiii galons le hoggeſhede de lxiii galons le barell de harank & danguilles de xxx galons pleinement pakkez le butte de ſamon de xx iiij & iiij galons pleinement pakkez nientlemains par ymagination & ſubtilite

tilite ount jatard eſtee faitz tieux veſſeux de pluis petite meſure a graunde perde & deſceit au Roy & de ſon poeple dount en ceſte parlement fuiſt priez eſpecialment de remedie Si eſt ordeinez & eſtablez qe null homme apres le fyn de xii moys le feſt de Paſque proſchein avenir proſcheinement enſuantz apporte en le royalme dEngleterre de qel paiis qe ceo ſoit ne face deins meſme le royalme tonell de vyn ſil ne conteigne del meſure dEngleterre $\frac{xx}{xij}$ & xij galons le pipe $\frac{xx}{vj}$, vj galons & enſy ſolonc lafferaunt le tercian & le hoggeſhede de vyn de Gaſcoigne ſur peine de forfaiture de meſme le vyn ne barrell de harank ne danguilles ſils ne conteignent xxx galons pleinement pakkez ne butte de ſalmon ſil ne conteigne $\frac{xx}{iiij}$ & iiij galons pleinement pakkez ne kynderkyns tercians & ferdekyngs de harank ne danguilles ne de ſamon forſqe ſolonc lafferaunt pleinement pakkez puis le feſt de Nativitee de Seint Johan le Baptiſtre proſchein avenir ſur peyne de forfaiture de les harank anguilles & ſamon avauntditz enſy apportez ou faitz au contrarie de ceſt ordinaunce en quell citee burgh & ville du royalme ou en aſcune partie dEngleterre qe tieux defautez ſoient trovez au ſeignur de meſme la ville & qe celluy qi voet ſuer & prover les ditz defautz avera la quart partie de meſme la forfaiture. Et qe les juſtices du pees en toutz les countes dEngleterre mairs & baillifs aiantz poair denquerer de peax enquergeroient & terminent toutz iceux defautz. Et qe ceſt ordeignaunce ſoi extende & eit force ſibien dedeins le countee de Ceſtre come aillours.

of the King and of his people, whereof ſpecial remedy was prayed in the parliament; (2) it is ordained and ſtabliſhed, That no man, after the end of twelve months from the feaſt of *Eaſter* next coming, ſhall bring into the realm of *England*, from what country ſoever it be, nor make within the ſame realm, a tun of wine, except it contain of the *Engliſh* meaſure CC lii. gallons, the pipe C xxvi. gallons, and ſo after the rate the tertian and the hogſhead of *Gaſcoign* wine, upon pain of forfeiture of the ſame wine; (3) nor barrel of herring, nor of eels, unleſs they contain xxx. gallons fully packed; nor butt of ſalmon, unleſs it contain lxxxiv. gallons fully packed; nor kinderkins, tertians, and firkins of herring, nor of eels, nor of ſalmon, but after the rate fully packed, after the feaſt of the Nativity of St. *John the Baptiſt* next coming, upon pain of forfeiture of the ſaid herring, eels, and ſalmon, ſo brought or made contrary to this ordinance, in what city, borough, and town of the realm, or in any part of *England*, that ſuch defaults be found, to the lord of the ſame town; (4) and that he which will ſue and prove the ſaid defaults, ſhall have the fourth part of the ſame forfeiture. (5) And the juſtices of peace in all the counties of *England*, and mayors and bailiffs, having power to inquire of the peace, ſhall inquire, hear, and determine all the ſame defaults. (6) And that this ordinance extend and have ſtrength, as well within the county of *Cheſter*, as elſewhere.

The meaſure of a tun, &c. of wine, and of a barrel of eels, herrings, and ſalmons.

18 H. 6. c. 17.
1 R. 3. c. 13.
28 H. 8. c. 14.

CAP. XII.

The office and duty of the King's aſſayer, controllour, and maſter of the mint.

The maſter of the mint ſhall keep his allay in making of white money.

ITEM, to the intent that the more bullion may be brought to the mint, and the greater plenty of white money be made and current within the realm, for the eaſe and profit of the commonalty of the ſame, it is ordained and ſtabliſhed, That the maſter of the mint ſhall keep his allay in the making of white money according to the form of his indenture; (2) and that the ſame maſter receive of every perſon, that ſhall bring any ſilver to the mint, the ſame money at the true value as it is worth according to the ſame allay, upon pain to pay to the party his double damages. (3) And alſo to the intent that this ordinance may the better and more juſtly be obſerved, it is ordained, That the King's aſſayer, which is a perſon indifferent betwixt the maſter of the mint and the merchant, and alſo the controller of the mint, ſhall be preſent when any ſuch bullion of ſilver is brought to the mint, to the intent that the

The office and duty of the King's aſſayer of the mint.

ſaid aſſayer may rightfully ſet the value of the ſame according to the law, in caſe of variance betwixt the maſter and the merchant; and the controller to controul as well ſilver that is brought to the ſaid mint, as carried out of the ſame, every two days faithfully and indifferently to do their duty, without taking any reward other than the fee which they ſhall take of the King, upon pain to yield double damages, as afore is ſaid; (4) and that the

ITEM a lentent qe le pluis greindre bullion puiſſe eſtre apporte a le mynte & le grendre plente de blank money eſtre faitz & currant deinz le roialme pur le aiſe & profit du communalte diceile ordeinez eſt & eſtabliz qe le maiſtre del mynt garde ſon allaie en la feſance de la blank monoie ſolonc la forme de ſa indenture et qe meſme le meiſtre reſceive de cheſcun homme qi portera aſcun argent a la mynt meſme largent a la verroie value come il vaut ſolonc meſme lallaie ſur peine de paier le double damage a la partie. Et auxi al entent qe ceſt ordeignance puiſſe le meulx & pluis jouſtement eſtre gardez ordeinez eſt qe laſſaiour du Roy qi eſt perſone indifferent parentre le maiſtre del mynt & le merchant & auxi le countrollour del mynt ſoient preſentez qant aſcun tiele bullion dargent ſoit porte a le mynte a lentent qe le dit aſſaiour puis droitement mettre le value dicell ſolonc lallaie en cas del variaunce parentre le maiſtre et le merchant et le countroullour a countrouller ſibien largent qeſt apportez en la dit mynt come aſportez hors dicell cheſcun deux jurrez de faire foialment & endefferentment lour devoir ſanz aſcun regarde prendre autre qe le fee qils preignont du Roy ſur la peine de paier double damage com deſuis et qe ceux aſſaiour & countroullour ſoientz vaillaintz crediblez & expertz perſones aiantz notoier ſcience en le miſtier dorfeour & de

mynt.

mynt. Et auxi qe le maiſtre del mynt ne le chaungeour pur le temps eſteant vende ne face vendre ne aliene a null autre oeps forſqe a le coigne null maner dor ne dargent overe ou nient overee coignee ou nient coignee ou bullion qeſt portez a la mynt ou a leſchaunge mes icell applie toutſoulment a le monoie ſolonc la forme de lendenture avantdite ſur la peine contenuz en meſme lendenture. Et qe meſme le maiſtre del mynt face ferire de temps en temps demy nobles ferlynges dor groſſes demy groſſes deniers males & ferlinges pur le aiſe du poeple ſolonc le tenour del dite endenture fait parentre le Roy & luy ſur la peine contenuz en ycell iſſint qe le commune poeple puis avoir recours a leſchaunge pur petit or & blanke monoie come ils reſonablement boſoigneront.

the aſſayer and controller be credible, ſubſtantial, and expert men, having perfect knowledge in the myſtery of goldſmiths, and of the mint. (5) And alſo that neither the maſter of the mint, nor the exchanger for the time being, ſell, nor cauſe to be ſold, nor aliene to any other uſe but to the coin, no manner of gold nor of ſilver wrought or unwrought, coined or not coined, or bullion which is brought to the mint, or to the exchange, but apply the ſame only to the money, according to the form of the ſaid indenture, upon the pain contained in the ſame indenture. (6) And that the ſame maſter of the mint cauſe to be ſtricken, from time to time, half-nobles, farthings of gold, groats, half-groats, pence, half-pence, and farthings, for the eaſe of the people, according to the tenor of the indenture made betwixt the King and him, upon the pain contained in the ſame, ſo that the common people may have recourſe to the exchange for ſmall gold and white money, as they reaſonably ſhall need.

The office of the controller of the mint.
The maſter of the mint ſhall convert into coin all the gold and ſilver which he ſhall receive.
The maſter of the mint ſhall make ſmall money.

CAP. XIII.

The price of a pound of ſilver in plate, piece, or maſs.

ITEM, foraſmuch as great ſcarcity of white money is within the realm, becauſe that ſilver is bought and ſold not coined, at the price of xxxij. s. the pound of Troy, whereas the ſame pound is no more of value at the coin than xxxij. s. (abated for the coinage twelve pence) it is ordained and eſtabliſhed, for the increaſe of white money, That no man, of what eſtate or condition that he be within the realm, ſhall buy or ſell no ſilver in plate, piece, nor in maſſe, being as good of allay as the ſterling, above thirty ſhillings the pound of Troy, over the faſhion, upon the pain of forfeiture of the double value of as much as he buyeth or ſelleth contrary to this ordinance. And that the one half be forfeited to the King's uſe, and the other half to the uſe of him that will ſue and prove the ſame forfeiture. Provided always, That they which go to the coin, may have and take of the maſter of the ſame coin, according as is lawfully contained in the indentures thereof made betwixt the King and him. And alſo the maſter of the ſaid mint, for the time being,

Ex edit Raſtal. Money. Silver.

Maſter of the mint.

being, may take and deliver as is contained in the ſaid indentures without taking more for the eaſe and profit of the common people.

Rep. 21 Jac. 1. c. 28.

CAP. XIV.

The fineneſs of hardneſs of ſilver, and the marks with which it ſhall be marked.

None ſhall ſell any work of ſilver, unleſs it be as fine as the ſterling;

ITEM, That no goldſmith, nor worker of ſilver within the city of *London*, ſell any workmanſhip of ſilver, unleſs it be as fine as the ſterling, except the ſame need ſolder in the making, which ſhall be allowed according as the ſolder is neceſſary to be wrought in the ſame. (2) And that no goldſmith nor jeweller, nor any other that worketh harneſs of ſilver, ſhall ſet any of the ſame to ſell within the city, before that it be touched with the touch [*of the leopard's head, if it may reaſonably bear the ſame touch* *] and alſo with the mark or ſign of the workman of the ſame, upon pain of forfeiture of the double, as afore is ſaid; and that the mark and ſign of every goldſmith be known to the wardens of the ſame craft. (3) And if it may be found, that the ſaid keeper of the touch touch any ſuch harneſs with the leopard's head, except it be as fine in allay as the ſterling, that then the keeper of the touch for every thing ſo proved not as good in allay as the ſaid ſterling, ſhall forfeit the double value to the King and to the party, as is above recited. (4) And alſo it is likewiſe ordained in the city of *York*, *Newcaſtle* upon *Tine*, *Lincoln*, *Norwich*, *Briſtol*, *Saliſbury*, and *Coventry*, that every one ſhall have divers touches, according to the ordinance of the mayors, bailiffs, or

nor until it be touched, and marked with the goldſmith's known mark.

Thepenaltyon the keeper of the touch, who toucheth any veſſel not ſufficient in allay.

Several cities and towns ſhall haveſeveral touches.

ITEM qe null orfeour ne overour dargent deinz la citee de Loundres vende null overaigne dargent ſil ne ſoit auxi fyne come le ſterlyng forſpris ceo qe boſoigne ſoudure en la feſance le quell ſoit alowe ſolonc ceo qe la ſoudour ſoit neceſſarie pur eſtre overee en ycell. Et qe null orfeour ne juellour nautre homme qe oepere harneis dargent mette null dicell a vendre deinz la dite citee devant ceo qe ſoit touchee ovec le touche del teaſt de libarde ceo qe puiſe reſonablement porter meſme le touche & auxi ove un marque ou ſigne del overour dicell ſur peine de la forfaiture de la double come deſuis eſt dit et qe le marque ou ſigne de cheſcun orfeour ſoit conuz a les gardeins de meſme le miſter. Et ſil poet eſtre trove qe le dit gardein de la touche ſuiſdite touche aſcun del hernoys ovek le teſt del libard ſil ne ſoit auxi fyne en allaie come leſterlyng qe adonqes le dit gardein de le touche pur cheſcune choſe enſy prove nient ſi bon en alaye come le dit eſterlyng forface la double value au Roy & a la partie come il eſt ycy deſuis recite. Et auxi ſemblablement eſt ordeine en la citee dEverwyk Novell Chaſtell ſur Tyne Lincoln Norwice Briſtowe Salesbury & Coventre qe cheſcun ait diverſes touches ſolonc lordinance des mairs baillifs ou governours de meſmes les villes

* Theſe words in the Italic letter are printed only in Mr. Cay's edition.

villes et qe null orfeour nautres overours dargent ne gardeyn des ditz touches dedeins ycelles villes mette a vente ne touche null argent en autre manere qe neſt ordeine pardevant deinz la citee de Loundres ſur peine del forfaiture avandit. Et enoutre qe null orfeour nautre overour dargent dedeinz le roialme dEngleterre ou null touche eſt ordine come deſuis eſt dit overee null argent ſil ne ſoit auxi fyn en alaie come leſterlyng. Et qe lorfeour ou loverour dicell argent mette ſur ycell ſon marque ou ſigne devant ceo qe le mette a la vent et ſil ſoit trove qe ne ſoit auxi fine come leſterlyng qadonqs le overour dicell forface le double value en manere & forme come il eſt devant recitez deinz le citee de Loundrez. Et qe les juſtices de la pees mairs & baillifs & toutz autres aiantz poair come juſtices de pees eient enquergent & determinent par bille pleint ou en autre manere de toutz ceux qi facent le contrair de meſmes les ordinances & ent facent due execution ſolonc lour diſcretions. Purveux toutz foitz qe ſi le maiſtre del mynt qore eſt ou quy pur le temps ſerra offende ou ad offenduz en ſon office du dit mynte qadonqs ſoit il correcte & juſtifie ſolonc la forme de les endentures avauntditz.

or governors of the ſame towns; (5) and that no goldſmith, nor other workers of ſilver, nor keeper of the ſaid touches within the ſame towns, ſhall ſet to ſale, or touch any ſilver in other manner than is ordained before within the city of *London*, upon pain of the ſaid forfeiture. (6) And moreover that no goldſmith, or other worker of ſilver within the realm of *England*, where no touch is ordained as afore is ſaid, ſhall work any ſilver, except it be as fine in allay as the ſterling, and that the goldſmith or worker of the ſame ſilver ſet upon the ſame his mark or ſign before he ſet it to ſale; (7) and if it be found, that it is not as fine as the ſterling, that then the worker of the ſame ſhall forfeit the double value, in manner and form as before is recited within the city of *London*. (8) And the juſtices of peace, mayors and bailiffs, and all other having power as juſtices of peace, ſhall hear, inquire, and determine, by bill, plaint, or in other manner, of all that do contrary to the ſaid ordinances, and thereof to make due execution by their diſcretions. (9) Provided always, That if the maſter of the mint which now is, or which for the time ſhall be, offend, or have offended in his office of the ſaid mint, that then he be puniſhed and juſtified according to the form of the ſaid indentures.

Juſtices of the peace, mayors, &c. may inquire of, hear, and determine the offences aforeſaid.

28 Ed. 1. ſtat. 3. c. 20.
17 Ed. 4. c. 1.
18 El. c. 15.

Juſtices may puniſh ſervants, maſons, carpenters, &c. for taking unreaſonable wages.

ITEM come en le temps de noble Roy *Henry* pier a noſtre ſeignur le Roy qoreſt en ſon parlement tenuz a Leyceſtre lan de ſon regne ſecunde ſoit ordeigne qe les juſtices de pees en cheſcune counte dEngleterre duiſſent examiner toutz maners de ſervantz en lour countees qi preignent ſalaries excedauntz

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la

la dite ordinance & les punir ſolonc meſme lordinance ordeinez eſt & aſſentuz qe les ditz juſtices aient poiar dappeller & de fair venir devant eux par Venire facias & diſtringas les maiſtres aiantz & occupiantz les ditz ſervantz & par attach' meſmes les ſervantz & ycelles examiner de le doner de lour ſalarie & la priſe de ceo qils donent a lour ditz ſervantz. Et ſil ſoit trove par examination ou en autre manere qe les ditz maiſtres donent pluis qe accordant au dite ordinance qe adonqes les ditz maiſtres qi pluis donent & cheſcun de eux qi pluis done pairont & paiera au Roy pur cheſcune ſalarie paiez a aſcune ſervant contrarie lexceſſe & qe a meſme lordinance meſmes les ſervantz enſi preignauntz & ent par lour coniſſance ou en autre loial manere atteintz eient lempriſonment dune mois ſaunz baille ou mainpriſe. Et ſi aſcun viſcont baillif de fraunchiſe gaoler ou aſcun autre aiant la garde dez priſons deinz fraunchiſe ou dehors ou aſcun de lour deputees mette aſcune tielle perſone au baille ou mainpriſe qe adonqes il perdra au Roy pur cheſcun tiel homme leſſe a baille ou a mainpriſe xx s. et qe lez juſtices de pees aient poair dappeller devant eux par attach' maſons carpenters tilers thakkers daubers & toutz autres laborers & eux examiner et ſils trovent par examination ou en autre manere qe aſcune des ditz perſones ad pris a contrarie a les leies & ordinances faitz devant ces heurs pardevant qe adonqes celluy qeſt trove enſi preignant ait lempriſonement dun moys. Et qe meſmes les juſtices aient poair dappeller devant eux par attach' taillours cordewaners tanners bochers peſchours & cariours de peſſon hoſtilers & toutz autres artificers & vitaillers & de eux aſſeſſer & cheſcun de eux a vendre & prendre ſolonc les diſcretions des ditz juſtices & ſi aſcun de eux preigne le contrarie a meſme laſſeſſion & de ceo par examination ou en autre manere ſoit trove coupable qe adonqs meſmes les perſones enſy trovez coupablez & cheſcun deux face & facent fyn ſolonc les diſcretions des juſtices & ait lempriſonement dun moys ſaunz baill ou mainpriſe come deſuis eſt dit. Et qe ceſt ordinance extende ſibien deinz citees & burghs ou ils ount poair & auctoritee come juſtice de pees come en les countees ſuiſditz. Et endurera ceſt ordinance tanqe al parlement proſcheynment avenir.

CAP. XV.

No man ſhall faſten nets to any thing over rivers.

ITEM it is ordained, That the ſtanding of nets and engines called *Trinks*, and all other nets, which be and were wont to be faſtened and hanged continually day and night, by a certain time of the year, to great poſts, boats, and anchors, overthwart the river of *Thames*, and other rivers of the realm

ITEM ordeignez eſt & eſtabliz qe le ſtation des reis & engines appellez trynkes & de toutz autres maners reis qi ſont & ſoloient eſtre fichez & attachez continuelment de noet & jour par certein temps del an as grauntz poſtes batels & anchres au travers la rivere de Thamiſe & autres rivers du roialme

roialme quele ſtation eſt cauſe & occaſion del auxi graund & pluis deſtruction del brode & frie de peſſon & deſtourbance del commune paſſage del veſſeulx come ſont les weres kydelx ou nulles autres engines ſoit tout outrement defenduz pur tout temps avenir et qe cheſcun qi les mette ou piſche deſorenavant as tielx poſtes batelx & anchres ou choſe ſemblable pur continuelment eſtoiſer come dit eſt & ent ſoit duement & par cours de ley conviez forface au Roy *Cs.* a cheſcun temps qil eſt enſi prove en default. Purvieux toutfoitz qe bien liſe as poſſeſſours des dits trynkes ſils ſoient daſſiſe peſchier ovec eux en tout temps ſeiſonable les entrahantz & conveiantz par main come autres peſchours font ove autres reis & non fichantz & attachantz les ditz reyes as poſtes batelx & anchres par continuelment eſtoiſer come dit eſt ſalvant toutfoitz a cheſcun liege du Roy lour droit title & enheritaunce en lour peſcheries en la ewe avauntdit.

realm, which ſtanding is a cauſe of as great and more deſtruction of the brood and fry of fiſh, and diſturbance of the common paſſage of veſſels, as be the wears, kydels, or any other engines, be wholly defended for ever; (2) and that every perſon that ſetteth or faſteneth them hereafter to ſuch poſts, boats, and anchors, or like thing, continually to ſtand as afore is ſaid, and be duly thereof by the courſe of the law convict, ſhall forfeit to the King *Cs.* at every time that he is ſo proved in default. (3) Provided always, That it ſhall be lawful to the poſſeſſors of the ſaid trinks, if they be of aſſiſe, to fiſh with them in all ſeaſonable times, drawing and pulling them by hand, as other fiſhers do with other nets, and not faſtening or tacking the ſaid nets to poſts, boats, and anchors, continually to ſtand as afore is ſaid; (4) ſaving always to every of the King's liege people their right, title, and inheritance in their fiſhings in the ſaid water.

The penalty of thoſe which do faſten trinks or other nets over any river.

In what ſort owners of trinks may fiſh with them.

CAP. XVI.

Perſons in the reverſion may ſue for the right to eſtates, notwithſtanding any defaults committed by the former poſſeſſors.

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ITEM come ordeigne ſoit par eſtatut fait Weſtm' lan du regne le Roy E. fitz le Roy H. treſzime qe ſi breve ſoit porte vers le baron & ſa femme ou envers tenant a terme de vie a terme dautre vie ou par le curteſie ou tenant en le taill apres poſſibilite diſſue exteint & le baron ou tielx tenauntz ſount defaute apres defaute ou voillent rendre al demaundant ſon demande qe ſi le femme ou ceux a qi le reverſion eſt veignent devant juggement rendu qils ſerront receux a defendre lour droit. Et pur ceo qe les juſtices du Roy ſont ore en graunt awercuſtee ſi le baron ou aſcun des ditz tenauntz font defaut apres defaut ou rendent laction as demaundant les queux defautz ou redditions ſont recordez a un terme & des certeins cauſes les juſtices moevantz le juggement mis en reſpite & jour don outre tanqual proſchein terme ſi ceux en la reverſion

ſerront

ſerront receux a celle darrein terme a defendre lour droit. Et pur ouſtier tiel awerouſte & doute ordeinez eſt & declarez par ladvis & aſſent ſuiſditz qe ceux en reverſion purront eſtre receux a defendre lour droit ſils veignent a aſcun temps devant juggement rendu en tielx caſes devant declarez accordant a les forme & parols en le dit eſtatut contenuz. Et qe yceſte ordinaunce ſe extende as brefs unqore pendantz & le juggement unqore nient renduz come en actions defore enavaunt amovers. Et durera ceſte ordinance tanqual parlement proſchinement avenir.

CAP. XVII.

Perſons indicted of high treaſon eſcaping out of priſon ſhall be adjudged traitors.

ITEM come en temps le noble Roy E. tiers apres le conqueſt lan de ſon regne xxv. a ſon parlement tenuz a Weſtm' furent declarez par eſtatut en le dit parlement quelles choſes duiſſent eſtre ditz traiſon entre queux ſi homme fuiſte enditez appellez ou pris par ſuſpecion de graund traiſon & pur ceſte cauſe commiſe & detenuz en priſon du Roy & puis tiel priſone eſchape hors de priſon de Roy declaration ne fuiſte faite avant ces heurs le quele tiel eſchape ſerroit adjugge traiſon ou nient ordeinez eſt & declarez par auctorite diceſt preſent parlement par eſtatut qe ſi aſcune perſone ſoit endite appelle ou pris pur ſuſpecion de graunt traiſon come avant eſt dit et ſoit commys & detenuz en priſone du Roy pur celle cauſe & eſchape voluntere-ment hors du dit priſone qe tiel eſchape ſoit adjugge & declare traiſon ſi tiel perſone ent ſoit duement atteint ſolonc le ley de ceſte terre. Et eient les ſeignurs du fee en tiel cas les eſchetes & forfaitures des terres & tenementz de eux tenuz de tielx perſones iſſint atteintz come de ceux qi ſont atteintz de petite traiſon. Et teignent ceſt ordinance & declaration lieu & effect del xx jour dOctob' darrein paſſe tanqe au parlement proſcheinement avenir.

Statutes made at *Weſtminſter*, *Anno* 3 HEN. VI. and *Anno Dom.* 1424.

NOSTRE ſeignur le Roy par advys & aſſent des ſeignurs eſpirituelx & temporelx & a leſpecial requeſt des communes en ceſte parlement tenuz a Weſtm' le darrein jour dAverill lan de ſon regne tierce ad ordinez & eſtabliz certeins ordinances & eſtatuts a lonour de Dieu & pur le bien de ſon roialme en la fourme enſuant.

OUR *lord the King, by the advice and aſſent of the lords ſpiritual and temporal, and at the ſpecial requeſt of the commons, aſſembled in this parliament, holden at* Weſtminſter *the laſt day of* April, *the third year of his reign, hath ordained and eſtabliſhed certain ordinances and ſtatutes, to the honour of* GOD, *and for the weal of his realm, in the form following.*

CAP.

CAP. I.

Maſons ſhall not confederate themſelves in chapiters and aſſemblies.

FIRST, whereas by the yearly congregations and confederacies made by the maſons in their general chapiters and aſſemblies, the good courſe and effect of the ſtatutes of labourers be openly violated and broken, in ſubverſion of the law, and to the great damage of all the commons; (2) our ſaid lord the King willing in this caſe to provide remedy by the advice and aſſent aforeſaid, and at the ſpecial requeſt of the ſaid commons, hath ordained and eſtabliſhed, That ſuch chapiters and congregations ſhall not be hereafter holden. (3) And if any ſuch be made, they that cauſe ſuch chapiters and congregations to be aſſembled and holden, if they thereof be convict, ſhall be judged for felons. (4) And that all the other maſons that come to ſuch chapiters and congregations, be puniſhed by impriſonment of their bodies, and make fine and ranſom at the King's will.

Ex edit Pult. 3 Inſt. 99. It ſhall be felony to cauſe maſons to confederate themſelves in chapiters and aſſemblies.

CAP. II.

Sheep ſhall not be tranſported beyond ſea without the King's licence.

ITEM pur ceo qe pluſours diverſes perſones ameſnent hors du roialme de temps en temps grande nombre des berbees lanutz en Flaundres & autres paiis de pardela le meer & la ils fount eux tonder & vendent ſibien meſmes les berbees come les laines dicelles as hommes de meſme la paiis iſſint qe par tielx perſones les berbees deinz meſme la paiis de Flaundres & autres parties deins brief temps ſont veraiſemblablez deſtre grandement encrecez & multipliez a treſgrande deceit perde & damage noſtre dit ſeignur le Roy de ſes cuſtumes et ſubſidies des ditz laines & auxi grande arreriſſement de tout le roialme & amenuſement & depreſſion de la price des lains ſibien a leſtaple de Caleis come cy en Engleterre ſil ne ſoit purveu de remedie celle partie noſtre dit ſeignur conſiderant les premiſſes de ladvis aſſent

ITEM, *becauſe that diverſ perſons do from time to time carry out of the realm great number of ſheep with fleeces into* Flanders, *and other countries beyond the ſea, and there they ſhear them, and ſell as well the ſame ſheep, as the wools of the ſame, to men of the ſame country, ſo that by ſuch perſons the ſheep within the ſaid country of* Flanders, *and other parts, in ſhort time be likely to be much increaſed, to the great deceit, loſs, and damage of our lord the King, of his cuſtoms and ſubſidies of the ſaid wools, and alſo to the great hindrance of all the realm, and diminution and abatement of the price of wools, as well at the ſtaple at* Calais *as here in* England, *unleſs remedy be provided in this behalf*; (2) our ſaid lord the King, conſidering the premiſſes, by the advice and aſſent, and at the requeſt aforeſaid, hath ordained and granted by the authority of the ſaid parliament, That no manner

8 El. c. 3. Whoſoever ſhall tranſport ſheep to any part beyond the ſea ſhall forfeit them

manner of perſon, of what eſtate or condition that he be, hereafter be ſuffered to ſhip within the realm of *England* any ſheep, fleeced or ſhorn, into the ſaid country of *Flanders*, or to any other parts beyond the ſea, except it be to victual the town of *Calais* and the marches thereof. (3) And that every man that may be eſpied, which under the colour of victualling of the ſame town and marches of *Calais*, paſſeth into any other places, than to the ſame town and marches, with any ſheep fleeced or ſhorn (except he have the King's licence) ſhall forfeit to the King the ſame ſheep, or the value thereof, as oftentimes as he ſhall be found in default.

aſſent & requeſt ſuiſditz ad ordinez & grantez par auctorite du dit parlement qe null maner de perſone de quele eſtat ou condition qil ſoit de cy enavaunt ſoit ſuffrez deſkipper ou faire eſkipper deinz le roialme aſcunes berbees lanutz ou tonduz en ladite paiis de Flaundres ou autres parties de pardela le meer ſil ne ſoit pur la vitailler de la ville de Caleys & les marches dicelles. Et qe cheſcun homme qe poet eſtre eſpiez qe ſoubz colour de vitailler du dite ville ou marches de Caleys qil paſſe a aſcun autre lieu qe a meſmes les ville & marches oveſqe aſcuns berbees lanuz ou tonduz ſil ne ait licence roialle qil forface au Roy meſmes les berbees ou le value dicelles ſi ſovent deſoitz come il ſoit trove defectif.

CAP. III.

The penalty of a cuſtomer, &c. *concealing the King's cuſtom.*

The penalty of a cuſtomer, collector, or controller, concealing the King's cuſtom.

ITEM it is ordained and eſtabliſhed, That if any cuſtomer, collector, or controller of the King's cuſtoms of cockets of cloths, of ſubſidies of tunnage or poundage, in any port or place of *England*, be duly attainted or convict at the King's ſuit, of falſe concealing of the King's cuſtom or ſubſidy duly entered and paid by any merchant, that then the ſaid cuſtomer, collector, or controller ſo duly attainted or convict by the law, ſhall loſe and forfeit to the King the treble value of the merchandiſes ſo duly cuſtomed, and make fine and ranſom. (2) And he that will ſue, ſhall have the third part for his labour.

Dyer, 238.
4 H. 4. c. 20.
1 El. c. 11. ſ. 7.
18 El. c. 9.

ITEM ordinez eſt & eſtabliz qe ſi aſcune cuſtumer collectour ou countrollour des cuſtumes du Roi de cokettes de draps del ſubſidies del tonage ou pondage en aſcun port ou lieu dEngleterre ſoit duement & loialment atteinte ou convictz al ſuyte du Roi ou al ſuyte daſcune autre perſone pur lavauntage du Roi de faux concelement de cuſtume ou ſubſidie du Roi duement entre & paie par aſcune merchant qadonqes le dit cuſtumer collectour ou controllour enſi duement atteint & convict par la ley perde & forface au Roi le treble value des merchandiſes enſi duement cuſtumez & face fyn & raunceon. Et ſi aſcun homme le voet ſuer ait le tierce partie pur ſon labour.

CAP.

CAP. IV.

Licence may be granted to convey butter and cheese to any place.

ITEM, whereas by a statute made in the time of the noble King *Edward* the Third, it was ordained, That the staple, and the merchandises of the staple should be carried to *Calais*, amongst which merchandises it was ordained by the same statute, That butter and cheese should be merchandises of the staple, (2) by which ordinances divers persons of the realm of *England* have had great damage, because that the said butter and cheese be so tender merchandises that they cannot tarry their merchants, as our lord the King hath perceived by the grievous complaint of his said commons: (3) the same our lord the King, willing to provide remedy in this behalf, by the advice and assent aforesaid, hath ordained and established, That he that will carry butter and cheese to any other parts than to the said staple, shall sue to the chancellor of *England* for the time being to have licence in this behalf. (4) And that the same chancellor have power to make to him such licences under the King's great seal, if it like him so to do by his discretion.

Ex edit Pult. Altered by 18 H. 6. c. 3. 1 & 2 Ph. & M. c. 5. 13. & 14. Car. 2. c. 26.

The lord chancellor may grant licence to any to convey butter and cheese to any other place besides the staple.

CAP. V.

Commissions may be awarded to certain persons, to reform the river Ley, *running from* Ware *to* Thames.

ITEM, whereas in the last parliament it was granted, That a commission for the water called the Ley, one of the great rivers, which extendeth from the town of *Ware* till the water of *Thames*, in the counties of *Hertford*, *Essex*, and *Middlesex*, to survey, redress, and amend all the defaults in the said water, for the passage of ships and boats, as in the ordinances and statutes of the King's noble progenitors is contained: And forasmuch as the same commission was directed to divers great men lords and other persons, which thereto might not attend: it is ordained and stablished, That the chancellor of *England* shall have power to grant such commissions at all times needful to such indifferent persons dwelling thereabout, which thereto best can and may attend to enquire, redress, and amend all the defaults being in the said water, as well by divers trenches made out of the said water, as of all other manner stanks, kidels, wears or mills, being or made to the annoyance of the passage of boats in the said water, according to the purport and tenor of the statutes in this case provided and ordained.

Ex edit. Rast. Ley the river.

Commission.

Chancellor of England. 9 H. 6. c. 9. 13 Eliz. c. 18.

Statutes made at *Leicester*, *Anno* 4 HEN. VI. and *Anno Dom.* 1425.

CEUX sont les estatuts & ordinances faitz par nostre

THESE *be the ordinances and statutes made by our sovereign*

the parts beyond the ſea, in the company of his dear uncle the regent of *France* duke of *Bedford*, and of his deputies in the parts of *France*, and for ſo much willing for their eaſe and ſurety likewiſe to ordain and provide in this caſe; of the aſſent and advice of the lords ſpiritual and temporal, and alſo of the commons in this parliament aſſembled, hath ordained, That the ſaid ordinance made the ſaid ix. year ſhall ſtand as a ſtatute and law effectual and available in all points for all perſons which now be and hereafter ſhall be abiding in the King's ſervice in the company of the ſaid regent, or of his deputies in the parts of *France* and of *Normandy*, to endure from the firſt day of *June*, the fourth year of the reign of our ſaid ſovereign lord the King, till the end of three years then next following. Provided always, That all the entries to be made after the ſaid firſt day of *June*, ſhall not be compriſed in this preſent ordinance. And that none, which ſhall make ſuch entries after the ſaid firſt day of *June*, ſhall have any benefit of the ſame ordinances.

This follows C A P. V. upon the Roll.

CAP. III.

Juſtices in certain caſes may amend their records according to former ſtatutes.

ITEM, *whereas at the parliament holden at* Weſtminſter *the ſecond day of* May, *the ninth year of the reign of King* Henry, *father of our lord the King that now is, it was rehearſed, how that at the parliament holden at* Weſtminſter *the* xiv. *year of King* Edward *the Third, it was ordained by the authority of the ſaid parliament, That for miſpriſion of a clerk, in whatſoever place it be, no proceſs or plea ſhould be undone nor diſcontinued, by overſight in writing a letter or ſyllable too much or too little,* (2) *but as ſoon as the thing were perceived by challenge of the parties, or in other manner, it ſhould be haſtily amended in due form, without giving advantage to the party that challengeth the ſame becauſe of ſuch miſpriſion;* (3) *the ſaid late King* Henry, *conſidering the diverſities of opinions which men had upon the ſaid ſtatute, and to put the thing in more open knowledge, did declare*

5 Co. 45.
8 Co. 157.
Dyer, 260, 342.

ITEM come au parlement tenuz a Weſtm' le ij. jour du Maij lan du regne le Roi HENRI pier noſtre ſeignur le Roi qoreſt ixe reherce fuiſt coment au parlement tenuz a Weſtm' lan du regne le Roi E. tierce xiiij. ordeigne fuit par auctorite du dit parlement qe pur meſpriſion de clerc en queconqe place ceo ſoit ne ſoit proceſſe de plee aniente ne diſcontinue par meſprendre en eſcrivant une lettre trop ou trop poy mes ſitoſt come le choſe ſerra aperceive par chalange des parties ou en autre manere ſoit haſtivement amende en due fourme ſanz doner avantage a partie qe ceo chalange pur cauſe de tiel meſpriſion le dit nadgairs Roi HENRI conſiderant la diverſite doppinions qe lem avoit ſur le dit eſtatuit & pur mettre le choſe en pluis overt conyſauns declara & ordina par auctorite du dit parlement tenuz

nuz le dit an ixe qe les juſtices devaunt queux tiel plee ou recorde eſt fait ou ſerra pendant ſibien par ajournement come par voie derrour ou autrement eient poair & auctorite damender tielx recorde & proceſſe come devaunt eſt dit ſolonc la fourme de meſme leſtatuit ſibien apres juggement en tiel plee recorde ou proceſſe renduz come devaunt le juggement renduz en tielx plee recorde ou proceſſe tant come les ditz recorde & proceſſe ſoient devaunt eux en meſme la manere come juſtices avoient poair damender tielx recorde & proceſſe devaunt juggement renduz par force du dit eſtatuit en temps le dit Roi E. fait cõme deſuis la quele ordinance endureroit tanqe al proſchein parlement qi ſerroit primerment tenuz apres le revenue du dit Roi HENRI le pier en Engleterre de pardela et la quele ore eſt determine par le mort du dit nadgairs Roi HENRI le pier le Roi noſtre ſoverein ſeignur par advis & aſſent ſuiſditz ad ordine & eſtablie qe le dit eſtatuit & effect dicell fait le dit anixe teigne force vigour & effect en cheſcun recorde & proceſſe ſibien apres juggement renduz ſur verdit paſſe come ſur matiere en leie plede come eſtatut vaillable & effectuell en ley a toutz jours adurer. Purveu toutz foitz qe ceſt eſtatut ne ſe extende as recordes & proceſſes es parties de Gales ne as recordes & proceſſes par queux aſcune perſone eſt ou ſerra utlage al ſuyt daſcuny.

declare and ordain by authority of the ſaid parliament holden the ſaid ninth year, That the juſtices before whom ſuch plea or record is made, or ſhall be depending, as well by adjournment, as by way of error or otherwiſe, ſhall have power and authority to amend ſuch record and proceſs, as well after judgment given as before, by force of the ſaid ſtatute made in the time of the ſaid King EDWARD, *which ordinance ſhould endure till the next parliament, which ſhould be firſt holden after the return of the ſaid King* Henry *the father into* England *from beyond the ſea, and which now is determined by the death of the ſaid late King* Henry *the father*: (4) our ſovereign lord, by the advice and aſſent aforeſaid, hath ordained and eſtabliſhed, That the ſaid ſtatute, and the effect of the ſame, made the ſaid ninth year, ſhall hold ſtrength, force, and effect, in every record and proceſs of the ſame, as well after judgment given upon a verdict paſſed, as upon a matter in law pleaded, as a ſtatute available and effectual in law to endure for ever. (5) Provided always, That this ſtatute do not extend to records and proceſſes in the parts of *Wales*, nor to records and proceſſes whereby any perſon is or ſhall be outlawed at any man's ſuit.

A confirmation of the ſtatute of 14 Ed. 3. ſtat. 1. c. 6. & 9 H. 5. c. 4. authoriſing juſtices to amend records.

CAP. IV.

The writs, ſuits, and proceſſes now depending of certain that were late made knights, ſhall not abate for that cauſe.

ITEM, our ſaid ſovereign lord the King, by the advice and aſſent aforeſaid, hath ordained and ſtabliſhed, That all the writs, ſuits, and proceſſes, which all the knights that were made knights by the King in the time of this parliament holden,

Ex edit. R. Knights.

have depending, and which every of them hath depending, not determined, be good and effectual not abateable by the law, becauſe that they be made knights, or becauſe that any of them is made knight.

CAP. V.

Licence given to all the King's ſubjects to tranſport corn.

Ex edit. Pult. A confirmation of the ſtatute of 17 R. 2. c. 7. giving licence to all the King's ſubjects to carry corn out of the realm. 1 & 2 Ph. & M. c. 5. 1 Jac. 1. c. 25. 3 Jac. 1. c. 11. Repealed by 21 Jac. 1. c. 28.

ITEM, whereas the noble King *Richard* the Second after the conqueſt, at his parliament holden at *Weſtminſter* the xv. day of St. *Hillary*, the xvii. year of his reign, at the ſpecial requeſt of the commons of the ſame parliament, did grant licence to all his liege people of his realm of *England*, to ſhip and carry corn out of the ſaid realm, to what part them pleaſed, except to enemies, paying the ſubſidies and duties thereof, notwithſtanding any ordinance, proclamation, or reſtraint made before to the contrary: nevertheleſs, the ſame late King, willing that his council might reſtrain the ſaid paſſage when to them ſeemed needful for the profit of the realm; (2) our lord the King at the ſpecial requeſt of the commons of this preſent parliament, and by the advice and aſſent aforeſaid, will and granteth, That the ſaid ſtatute be holden and kept in all points, ſo that his council may reſtrain the ſaid paſſage when they ſhall think it neceſſary for the profit of the realm.

Statutes made at *Weſtminſter*, *Anno* 6 HEN. VI. and *Anno Dom.* 1427.

OUR *lord the King, at his parliament holden at* Weſtminſter, *the fifteenth of St.* Michael, *the ſixth year of his reign, by the advice and aſſent of the lords ſpiritual and temporal, and at the ſpecial inſtance and requeſt of the commons of his realm in the ſaid parliament aſſembled, hath cauſed to be made certain ſtatutes and ordinances to the honour of God, and for the weal and eaſe of his people, in the manner and form following.*

NOSTRE ſeignur le Roy a ſon parlement tenuz a Weſtm' a la quinſziſme de Seint Michell lan de ſon regme vjme par advys & aſſent des ſeignurs eſpirituelx & temporelx & al eſpeciale requeſt des communes de ſon roialme en le dit parlement aſſemblez ad fait faire certeins eſtatutz & ordinances a lonour de Dieu & pur le bien & eaſe de ſon poeple en la forme qenſuyt.

CAP. I.

Within what time a Capias *awarded againſt any perſon indicted in the king's bench ſhall be returnable.*

3 Inſt. 31.

FIRST, *for that divers of the King's faithful ſubjects, by falſe practice, covin, and conſpiracy of certain evil perſons, be indicted before our lord the King in his bench, of divers felonies and treaſons,*

EN primes pur ceo qe divers des loialx lieges noſtre dit ſeignur le Roi par faux ymagination comettement & conſpiracie des certeins malefeſours ſont enditez devaunt le Roy en

en ſon bank de diverſes felonies & treſons par jurrours ſuſpectz & a ceo par confederacie & conjecture des ditz conſpiratours lowez & procurez par force des queux enditementz Capias eſt agarde al viſcount del countee ou le dit bank eſt retournable deinz deux ou quatre jours a quell jour ſi la partie endite ne veigne exigend' eſt agarde par qoi les biens & chateux des ditz enditz ſont forfaitz au Roy a final deſtruction de divers des loialx lieges de noſtre dit ſeignur le Roi ſi come meſme noſtre ſeignur ad conceu a la grevouſe compleint des ditz communes a luy faite en le dit parlement noſtre dit ſeignur le Roy voillant en ceo cas purvoir de remedie ad ordine par advys & aſſent ſuiſditz qe avant qe aſcun exigende ſoit agardez envers tielx enditez devaunt le Roy en ſon dit bank ſoient briefs de Capias directz ſibien al viſcont ou viſcontz del countee en le quell ils ſont enſi enditez come al viſcount ou viſcountz del countee dount ils ſont nomez en les enditementz aiantz meſmes les Capias leſpace des ſys ſepmains au meynes ou pluis long temps par les diſcretions des juſtices ſi le cas ceo requirt devaunt la retourne diceſſes les queux briefs iſſint retournez procedent les juſtices en maner come ils ount fait devaunt ces heures et ſi aſcune exigende ſoit agarde ou aſcune utlagarie pronuncie en apres envers tielx enditez devaunt le retourne des ditz briefs ſoit celle exigende iſſint agarde ovec la utlagarie ent pronuncie voide & tenuz pur null. Et durera ceſte ordinance tanqil plerra a noſtre ſeignur le Roy.

treaſons, by ſuſpect jurors, hired and procured to the ſame by confederacy and covin of the ſaid conſpirators; (2) by force of which indictments a Capias *is awarded to the ſheriffs of the county where the ſaid bench is, returnable within two or four days, at which day, if the party ſo indicted come not, an* Exigent *is awarded, whereby the goods and chattels of ſuch perſons indicted be forfeit to our lord the King, to the utter undoing of divers of the King's faithful ſubjects, as the ſame our lord the King hath conceived by the grievous complaint of the ſaid commons, made to him in the ſaid parliament*; (3) our ſaid lord the King, willing in this caſe to provide remedy, hath ordained, by the advice and aſſent of the ſaid lords, That before any *Exigent* be awarded againſt ſuch perſons indicted before the King in his ſaid bench, writs of *Capias* ſhall be directed, as well to the ſheriff or ſheriffs of the county wherein they be indicted, as to the ſheriff or ſheriffs of the county whereof they be named in the indictments; (4) the ſame *Capias* having the ſpace of ſix weeks at the leaſt, or longer time, by the diſcretion of the ſaid juſtices, if the caſe require it, before the return of the ſame; (5) which writs ſo returned, the juſtices ſhall proceed in the manner as they have done before this time: (6) And if any *Exigent* be awarded, or any outlawry pronounced hereafter againſt ſuch perſons indicted, before the return of the ſaid writs, the ſame *Exigent* ſo awarded, with the outlawry thereof pronounced, ſhall be void and holden for none. (7) And this ordinance ſhall endure as long as ſhall pleaſe the King. 8 H. 6. c. 10.

Upon an indictment of any perſon in the king's bench a Capias ſhall be awarded againſt him returnable at the leaſt ſix weeks before any exigent ſhall be awarded.

CAP. II.

How long time the copies of panels in aſſiſe ſhall be delivered to the parties before the ſeſſions of the juſtices.

3 Inſt. 175.

ITEM, *becauſe that divers of the King's liege people in times paſt have been diſherited, for that in ſpecial aſſiſes the tenants and defendants could not have knowledge nor copy of the panel of them that be impanelled to paſs in the ſaid aſſiſes, to inform them of their right and titles before the day of the ſeſſion that the aſſiſes ſhould be demanded*; (2) our lord the King, willing thereof to provide remedy, hath ordained and eſtabliſhed, That the panels of the aſſiſes ſhall be arrayed, and a copy indented of the ſame by the ſheriff delivered to the plaintiffs, tenants, and defendants ſix days at the leaſt before the ſeſſion of the juſtices, if they the ſame demand; (3) and as to the return or anſwer of the bailiffs of franchiſes, they ſhall make their returns or anſwers to the ſheriffs, of ſuch ſpecial aſſiſes, ſix days before the ſeſſions in the manner aforeſaid; (4) and that upon pain of forty pounds to be paid by the ſaid ſheriffs or bailiffs to our lord the King, as often as they, or any of them, do or cauſe to be done contrary to this ordinance or ſtatute.

How long time the Copies of panels in aſſiſes ſhall be delivered to the parties before the ſeſſions of the juſtices.

42 Ed. 3. c. 11.

ITEM pur ceo qe divers des lieges noſtre ſeignur le Roy avaunt ces heures ount eſtez deſheritz a cauſe qen les eſpeciales aſſiſes les tenantz & defendantz ne purront my avoir coniſance ne copy de la panell de ceux qi ſont empanellez pur paſſer en les ditz aſſiſes pur eux enformer de lour droit & titles devaunt le jour de la ſeſſion qe les aſſiſes ſerront demandez noſtre dit ſeignur le Roy voillant de ceo purvoier de remedie ad ordine & eſtablie qe les panelles des ditz aſſiſes ſoient arraiez & copie endentee dicelles par le viſcount deliveree a les plaintifs tenantz & defendantz par vi. jours a meins devaunt la ſeſſion des juſtices ſi eux les demandent. Et qant a la retourne ou reſpounce des baillifs des fraunchiſes facent ils lour retournez ou reſponce as viſcountz en tielx eſpecialx aſſiſes viij. jours devaunt la ſeſſion en manere come deſuis. Et ceo ſur peine de xl. li. a paiers par les viſcontz ou bailliffs a noſtre ſeignur le Roy a tant de foitz come ils ou aſcun de eux fount ou face la contrarie de ceſt ordinaunce.

CAP. III.

The juſtices of peace, &c. *ſhall aſſign the wages of artificers and workmen by proclamation*; *and the penalty of thoſe that take more.*

Ex edit Raſt. Servant of husbandry.

ITEM, whereas it was ordained in the parliament holden at *Canterbury*, the twelfth year of King *Richard* the Second, how much every ſervant of huſbandry ſhall take by the year for his ſervice, and if any do contrary to the ſame ordinance, and thereof be attainted, that he ſhall pay, that is to ſay, as well the giver as the taker the exceſs ſo given or taken, and at the ſecond default of their atteindre, the double value of ſuch exceſs, and at the

the third default, the treble value, and if the ſaid taker have not whereof he may pay the ſaid exceſs, that then he ſhall have imprisonment of forty days. And alſo by another ſtatute made at the parliament holden at *Weſtminſter*, the thirteenth year of the ſaid late King, it was ordained and eſtabliſhed, That the juſtices of peace in every county of *England*, in their ſeſſions holden betwixt the feaſt of *Eaſter* and St. *Michael*, make proclamation by their diſcretion, according to the dearth of victuals, how every maſon, carpenter, tiler, or any artificer working by the day, as well in *Auguſt* as in other times of the year, after their degree, ſhall take the day with meat and drink between the ſaid ſeſſions, as a thing by the ſtatute: which ſtatutes be not kept nor put in execution, that is to ſay, the firſt ſtatute, becauſe that the puniſhment in the ſame is too hard upon the maſters of ſuch ſervants, foraſmuch as they ſhall be deſtitute of ſervants, if they ſhould not paſs the ordinance of the ſtatute, and the ſecond ſtatute, becauſe that no pain is limitted againſt him that doeth contrary to the ſame ſtatute: our ſovereign lord the King, willing in this caſe to provide remedy, hath ordained by authority of this parliament, that the juſtices of peace in every county for the time being, and the mayor of the city of *London* for the time being, and the mayors and bailiffs in every city, borough, or town, ſhall have ſuch power and authority to make proclamation in their full ſeſſions once by year, and ſo in every borough and market town within their juriſdiction, how much every ſervant of huſbandry ſhall take for his ſervice by the year then next following, and that they make two times proclamation in two ſeſſions, by them to be holden betwixt the feaſt of *Eaſter* and St. *Michael*, and in every borough and market town, how much every artificer and workman ſhall take by the day, and by the week with meat and drink, or without meat or drink, as well in *Auguſt* as in other times of the year. Provided always, That if any man be retained by the week for huſbandry or other labour, that he ſhall take nothing for the feſtival days in ſuch week nor for the half days of the evens of ſuch feaſts. And that every proclamation ſo to be made, be holden as a thing ordained by ſtatute. And if any ſervant, artificer, or workman do the contrary of ſuch proclamation ſo to be made, and be thereof attainted at the King's ſuit, he ſhall forfeit to the King every time the value of his wages, and if he have not whereof to make gree to the King, he ſhall have impriſonment of forty days, without being let to bail or mainpriſe in any manner. And that the juſtices of peace, mayors, and bailiffs aforeſaid, then for the time being, ſhall have power and authority to hear and determine ſuch offences, as well at the King's ſuit by ſuggeſtion furniſed, as at the ſuit of the party in ſuch caſe grieved, and thereupon to make and award writs of *Capias*, as oftentimes as to them ſhall ſeem well to be done, againſt ſuch ſervants, artificers and workmen, at every perſon's ſuit that feeleth him in ſuch caſe grieved or moleſted, returnable before themſelves, or before any other juſtices of peace, or mayors and bailiffs for the time being, at a certain

Juſtices of peace.

Artificers.

Mayors. Bailiffs.

certain day in their ſeſſions, at which day if any ſuch ſervant, artificer, or workman come before the ſaid juſtices of peace, or before mayors, or bailiffs by force of any ſuch writs, or in any other manner, that then the ſame juſtices of peace, mayors, or bailiffs for the time being, ſhall have full power and authority to examine by their diſcretion and knowledge, as well ſuch ſervants, artificers, and workmen, as their maſters, how much ſuch ſervants, artificers and workmen do take by the year, by the day, and by the week. And if they find by ſuch examination, or by plea betwixt the ſame ſervants, artificers, workmen, and their maſters, the contrary to be done of ſuch proclamations ſo to be made, that the ſaid ſervants, artificers, and workmen, and labourers ſhall be puniſhed in the form aforeſaid. And they ſhall yield to the party grieved his double damages. And if any of them depart or void into another county, that then it be lawful to the ſaid juſtices of peace, mayors and bailiffs, for the time being, to make and grant writs of *Capias*, as many and ſuch as be requiſite, directed to the ſheriffs of the counties, where ſuch ſervants, artificers and workmen be fled, to take their bodies, returnable before them at what time ſhall pleaſe them, ſo that if they come by ſuch proceſs they ſhall be put in priſon, till they find ſufficient ſurety well to ſerve their ſaid maſters. And that this ſtatute begin to hold place, as to the puniſhment of ſuch ſervants retained by the year or by the half year, after the feaſt of St. *Michael* next coming, for the offences in this behalf done by them after the ſaid feaſt. And that all the mayors and bailiffs, which be wardens of the peace in any cities, towns, or boroughs of the realm for the time being, ſhall have like power, correction and execution of the ſaid ordinance ſo to be made, and of all ſtatutes of labourers within the ſaid towns, cities, and boroughs, as the juſtices of peace have in their counties. And moreover, That the juſtices of peace in every county, and the mayors and bailiffs in every ſuch city, borough or town, ſhall have power and authority to make proclamation and execution of and in the premiſſes as afore is ſaid. And this ordinance ſhall endure till the end of the next parliament.

8 H. 6. c.8.
5 Eliz. c.4.

CAP. IV.

The ſheriffs traverſe to an inqueſt found touching returning knights of ſhires for the parliament.

A rehearſal of the ſtatute of 7 H. 4 c.15. touching the form of chooſing of knights for the parliament.

ITEM, *where it was ordained and eſtabliſhed in the ſeventh year of King* Henry *the Fourth, grandfather of our lord the King that now is, That knights of ſhires for the parliament ſhould be choſen in the manner and form following; that is to ſay, at the next county to be holden after the delivery of the writ of the parliament, proclamation ſhall be made in*

ITEM come ordeigne ſoit & eſtablie lan ſeptiſme le Roy H. quart aiel noſtre ſeignur le Roy qoreſt qe chivalers des countees pur le parlement ſoient eſſuz en maner & fourme qenſuite ceſtaſſavoir qe al prochein countee a tenir apres la livere de brief de parlement proclamation ſoit fait en plein countee del jour & lieu de parlement

parlement & qe toutz ceux qi illoeqes ſount preſentes ſibien ſéutours duement ſummonez pur cell cauſe come autres entendent a la election de lour chivalers pur le parlement & adonqes en plein countee alent a la election liberalment & endiferement non obſtant aſcun prier ou comaundement a contrarie & apres qils ſoient eſluz ſoient les perſonz eſlieux preſentz ou abſentz ſoient lour nouns eſcriptz en endentures deſoubz les ſeales de toutz ceux qi eux eſliſount & tachez au dit brief de parlement quele endenture iſſint enſealez & tachez ſoit tenuz pur la retourne de dit brief qant as chivalers des countees & qe en brief de parlement affair en temps avenir ſoit mys ceſte clauſe *Et electionem tuam in pleno comitatu tuo factam ſub ſigillo tuo & ſigillis eorum qui electioni illi interfuerint nobis in cancellaria noſtra ad diem & locum predictos certifices indilate.* Et pur tant qe en meſme leſtatut null peine fuiſt ordinez ne mys en eſpecial ſur les viſcountz des countees ſils facent aſcun retourne al contrarie du dit eſtatut ordeine fuiſt & eſtablie lan xie le dit Roy *Henry* quart qe les juſtices as aſſiſes prendre eient poair denquerer en lour ſeſſions des aſſiſes de tielx retournes faitz& ſi par enqueſt & due examination trove ſoit devaunt meſmes les juſtices qe aſcun tiel viſcount eit fait ou face en apres aſcun retourne encountre la tenure du dit eſtatut qe meſme le viſcount encourge la peine de C li. apaiers au noſtre dit ſeignur le Roy. Et outre ceo qe les chivalers des countees enſi nient duement retournez perdent lour gagez

in the full county of the day and place of the parliament, (2) *and that all they which be preſent there, as well ſuitors duly ſummoned for this cauſe, as other, ſhall attend to the election of their Knights for the parliament* ; (3) *and then in full county they ſhall proceed to the election freely and indifferently, notwithſtanding any requeſt or commandment to the contrary* ; (4) *and that after they be choſen, whether ſuch perſons choſen be preſent or abſent, their names ſhall be written in indentures, under the ſeals of all the chooſers, and annexed to the ſaid writ of parliament, which indenture ſo ſealed and tacked, ſhall be holden for the return of the ſaid writ, as to the knights of the ſaid ſhires :* (5) *and alſo in the writs of the parliament hereafter to be made, this clauſe ſhall be put in the manner as followeth :* Et electionem tuam in pleno comitatu tuo factam diſtincte & aperte ſub ſigillo tuo & ſigillis eorum qui electioni illi interfuerint, nobis in cancellaria noſtra ad diem & locum in brevi contentos certifices indilate. (6) *And for that in the ſame ſtatute no pain was ordained, nor ſpecially ſet upon the ſheriffs of the county, if they make their return contrary to the ſaid ſtatute, it was ordained and eſtabliſhed the eleventh year of the ſaid King* Henry *the Fourth, That the juſtices of aſſiſes ſhould have power to inquire in their ſeſſions of aſſiſes of ſuch returns made* ; (7) *and if it be found by inqueſt and due examination before the ſame juſtices, that any ſuch ſheriff hath made, or hereafter ſhall make, any return contrary to the tenor of the ſaid ſtatute, that the ſame ſheriff ſhould incur the pain of an hundred*

By the ſtat. of 11 H. 4. c. 1. juſtices of aſſiſe ſhall inquire of undue returns of knights of the parliament.

dred pounds, to be paid to our ſaid lord the King. (8) *And moreover, that the knights ſo unduly returned ſhall loſe their wages of the parliament in old times accuſtomed;* (9) *to the great miſchief of ſheriffs and knights of the ſhire, which be forebarred and put out of their anſwer againſt ſuch inqueſts of office taken before the ſaid judges, becauſe of the ſtatute and ordinance aforeſaid;* (10) our lord the King willing in this caſe to provide remedy, hath ordained and eſtabliſhed, That all the Knights of the ſhires choſen for this preſent parliament, and the ſheriffs of the ſame counties againſt whom any inqueſts or offices of undue election be found before the juſtices of aſſiſes, ſhall have their anſwer and traverſe to ſuch inqueſt of office taken; (11) and alſo all the knights from henceforth ſo to be choſen, and the ſheriffs that ſhall make ſuch elections, ſhall have their anſwer and traverſe to ſuch inqueſts and offices before any juſtices of aſſiſes hereafter to be taken; (12) and the ſaid knights and ſheriffs ſhall not be endamaged unto our ſaid lord the King, or his ſucceſſors, for any ſuch inqueſt taken or to be taken, until they be duly convict according to the form of the law.

The knights choſen for the parliament, and ſheriffs of counties, may have their traverſe of an office found againſt them.

2 H. 6. c. 7.

gagez de parlement auncienment accuſtumez a treſgraund meſchief dez viſcountz & chivalers des countees qi ſount forbarrez & ouſteez de lour reſpounce encountre tielx enqueſtes doffice priſez devaunt les ditz juſtices a cauſe de les ſtatut & ordeignaunce ſuiſditz noſtre ſeignur le Roy voillant en ceo cas purvoir de remedie ad ordeigne & eſtable qe toutz les chivalers des countees pur ceſt preſent parlement eſluz & les viſcountz dicelles countees envers queux aſcuns enqueſtes ou offices de noun due election ſont trovez devaunt les juſtices daſſiſes aient lour reſpounſes & travers envers les ditz enqueſtes & offices et auxi toutz les chivalers deſore enavaunt iſſint a eſlierz & les viſcontz qi ferront tielx elections aient lour reſpounce & travers envers tielx enqueſtes & offices devaunt aſcuns juſtices des aſſiſes deſore apprendrez. Et ne ſoient les ditz chivalers & viſcountz en damagez envers noſtre dit ſeignur le Roy ou ſes ſucceſſours per aſcun tiel enqueſt pris ou apprendre tanqe ils ſoient duement convictz ſolonc la forme de la ley.

CAP. V.

Several commiſſions of ſewers ſhall be granted. The form of the commiſſion.

Commiſſions of ſewers ſhall be granted during ten years.

ITEM, our ſovereign lord the King, by the advice and aſſent aforeſaid, conſidering the great damage and loſſes, which now late be happened by the great inundation of waters in divers parts of the realm,

ITEM noſtre treſſoverein ſeignur le Roy de ladvys & aſſent ſuiſditz conſiderantz les graundes damagez & perdes qore tarde ſount avenuz par les graundes creteines del eawe en diverſes parties du roialme &

& qe pluſours greindres damages ſont veriſemblablement avenirs ſi remedie ne ſoit haſtivement purveu ad ordine & graunte qe par dys ans procheinement enſuantz ſeveralx commiſſions de ſewers ſoient faitz as diverſes perſones par le chaunceller dEngleterre pur le temps eſteant a nomers en toutz les parties de roialme qe meſtier ſerra ſo.onc la fourme enſuant: &c.

realm, and that much greater damage is very like to enſue, if remedy be not ſpeedily provided, hath ordained and granted, (1) That during ten years next enſuing ſeveral commiſſions of ſewérs ſhall be made to divers perſons by the chancellor of *England* for the time being, to be ſent into all parts of the realm where ſhall be needful, according to the form that followeth:

The form of the commiſſion of ſewers. 23 H. 8. c. 5.

(2) *HENRY*, by the grace of God King of *England*, &c. To his well beloved and faithful *A. B. C.* and *D.* greeting. Know ye, That whereas the walls, ditches, gutters, ſewers, bridges, cauſeys, and wears by the coaſts of the ſea, and marſh, within the coaſts and limits of *Lindſey* in the county of *Lincoln*, by the rage of the ſea flowing and reflowing, and trenches of freſh waters by divers places deſcending to the ſea, be ſo decayed and broken, that many ineſtimable damages for default of reparation of the ſame walls, ditches, gutters, bridges, cauſeys, and wears, in times paſt have happened there, and yet it is to be feared that much more hurt within ſhort time will happen, unleſs that ſome ſpeedy remedy be provided therefore: (3) We for as much as by reaſon of our regal dignity we be bounden to have regard to the ſafety of our realm of *England* in all places, willing in this behalf to provide convenient and ſpeedy remedy, have aſſigned you, &c. of which, &c. we will to be one, our juſtices to ſurvey the walls, ditches, gutters, ſewers, bridges, cauſeys, wears, and trenches, (4) and to enquire by the oath as well of knights, as other good and lawful men of the ſaid county, as well within liberties as without, by whom the truth of the matter may be beſt known, by whoſe default ſuch damages have there happened, and who doth hold lands and tenements or hath any common of paſture or fiſhing in thoſe parts, or elſe in any wiſe have, or may have the defence, profit, and ſafeguard, as well in peril nigh, as from the ſame far off, by the ſaid walls, ditches, gutters, ſewers, bridges, cauſeys, and wears, and alſo hurt or commodity by the ſame trenches, (5) and there to diſtrain all them for the quantity of their lands and tenements, either by the number of acres, or by their plow lands, for the rate of the portion of their tenure, or for the quantity of their common of paſture or fiſhing, together with the bailiffs of liberties, and other places of the counties and places aforeſaid, to repair the ſaid walls, ditches, gutters, ſewers, bridges, cauſeys, and wears, in the places neceſſary, and the ſame or other, as often and where ſhall be needful to make of new, and to cleanſe the ſaid trenches in places neceſſary, and if need be to ſtop them up: (6) ſo that no tenants of lands or te-

Commiſſioners ſhall enquire of the annoyances, and by whoſe default they happened. Inquiry who hath lands, common, or fiſhing there, and who may have loſs by the annoyances, or benefit by the repair of them. Diſtraining for reparations.

n.ments

None ſhall be ſpared that may receive benefit or loſs. 5 Co. 100. 10 Co. 141. 4 Mod. 350.

nements, nor any having common of paſture or fiſhing, rich or poor, nor other of what condition, ſtate or dignity, which have or may have defence, commodity and ſafeguard by the ſaid walls, ditches, gutters, ſewers, bridges, cauſeys, or wears, or elſe any hurt by the ſaid trenches, (whether they be within liberties or without) ſhall in any wiſe be ſpared in this: (7) and for agiſtments upon the ſea banks for preſervation of the ſaid parts, according to the number of the acres or perches by you, &c. of whom, &c. we will to be one, newly to number, and as often and where ſhall need of new to make. (8) And to depute certain diligent and true keepers for the ſaid preſervation, and to hear the account of the collectors of the money which ſhall be levied for this cauſe, and to be ſpent in the reparation and amendment of the ſaid walls, ditches, gutters ſewers, bridges, cauſeys, and wears, and ſtopping of the ſaid trenches. (9) And to diſtrain by you, &c. of whom, &c. we will to be one, or by other whom ye ſhall thereto depute for the arrearages of ſuch collection, as often as need ſhall be, and as ye ſhall think meet, (10) and to make and ordain neceſſary and convenient ſtatutes and ordinances for the defence and ſafety of the ſaid ſea banks and marſhes, and the parts adjoining, according to the laws and cuſtoms of *Romney* marſh, and to hear and determine according to the laws and cuſtom of our realm of *England*, and the cuſtom of *Romney* marſh, all and ſingular the premiſes, as well at our ſuit, as the ſuit of any other that will complain before you in this behalf: (11) and to take and put in the ſaid works and reparations, as many ditchers and other workmen and labourers for the ſaid workmanſhip and reparations, as may ſuffice for the great, ſpeedy, and inſtant neceſſity, upon competent wages to them in this behalf to be paid. (12) And therefore we command you, That at certain days and places which you, &c. of whom, &c. we will to be one, thereto ſhall appoint, ye ſhall ſurvey the ſaid walls, ditches, gutters, ſewers, bridges, cauſeys, wears and trenches, and all and ſingular the premiſes do and accompliſh, and hear and determine in form aforeſaid: (13) ſo that for default of reparation of the ſaid walls, ditches, gutters, ſewers, bridges, cauſeys and wears, and ſtopping of the ſaid trenches, no hurt nor peril ſhall in any wiſe happen. (14) And that ye compel all them whom ye ſhall find negligent or ſtubbornly denying to do reparation, or making of their portions, ſpeedily to reform and amend the ſame by diſtreſſes and amerciaments, and other ways and means which to you ſhall beſt ſeem for ſuch defaults: (15) and that ye cauſe all things which by you ſhall be ordained in this behalf, as well within liberties as without, firmly to be obſerved, doing therein as to juſtice pertaineth, according to the law and cuſtom of our realm of *England*, ſaving to us the amerciament and other things thereof to us pertaining. (16) We have alſo commanded our ſheriff of the ſaid county, that at certain days and places which you, &c. of whom, &c. we will to be one, ſhall give him to know, he ſhall cauſe to come before you, &c. of whom, &c. we will to be one, ſo many

Taking the account of the collectors.

Diſtraining for the arrearages of the collection.

Making of ordicances for the defence of the ſea-banks.

Taking of labourers to work in the reparations.

Puniſhment of them which do neglect or refuſe to repair their proportion aſſigned.

The ſheriffs and jurors ſhall be attendant upon the commiſſioners of ſewers.

many and ſuch good and lawful men of his bailliwick, as well within liberties as without, by whom the truth of the matter in the premiſes may beſt be known and enquired. In witneſs whereof, &c. Witneſs, &c.

8 H. 6. c. 3.
23 H. 6. c. 9.
6 H. 8. c. 10.
3 Jac. 1. c. 14.
7 An. c. 10.

CAP. VI.

All merchants may ſhip merchandiſe in Melcomb *haven, and carry them to* Calais.

ITEM, it is ordained by the authority of the ſame parliament, That every merchant, as well denizen as alien, may freely and ſafely ſhip wools, leather, woolfels, and other merchandiſes of the ſtaple, in the port of *Melcomb*, in the county of *Dorſet*, and from thence to bring them to the ſtaple of *Calais*, paying the cuſtoms and ſubſidies due to the King. And that no merchant be impeached, moleſted, nor grieved by the King nor his heirs, for any ſhipping of the merchandiſe aforeſaid in the ſaid port, any ſtatute, ordinance or proclamation made to the contrary notwithſtanding.

Ex edit Raſt. Melcomb port. Staple.

Statutes made at *Weſtminſter*, *Anno* 8 HEN. VI. and *Anno Dom.* 1429.

AD omnipotentis Dei & ſancte matris eccleſie laudem & honorem chriſtianiſſimus dominus noſter *Henricus* Dei gratia Rex Anglie & Francie & dominus Hibernie illuſtris in parliamento ſuo apud Weſtm' in craſtino ſancti Mathei apoſtoli anno regni ſui octavo tento de aviſamento & aſſenſu prelatorum procerum & magnatum regni ſui Anglie & ad ſpecialem requiſitionem ac de aſſenſu communitatis ejuſdem regni in parliamento predicto exiſtentium quedam ſtatuta & ordinationes pro communi utilitate dicti regni & preſertim pro bona & ſana gubernatione ac debita legis executione habend' in eodem fecit in forma ſubſequenti.

TO *the laud and honour of almighty God, and of the holy mother the church, our moſt noble chriſtian lord* Henry, *by the grace of God King of* England *and* France, *and lord of* Ireland, *in his parliament holden at* Weſtminſter *the morrow after St.* Matthew *the apoſtle, the eighth year of his reign, by the advice and aſſent of the prelates and great men of his realm of* England, *and at the ſpecial requeſt and aſſent of the commons of the ſame realm, being in the ſaid parliament, hath made certain ſtatutes and ordinances for the common profit of the ſaid realm, and eſpecially for the good and wholeſome government and due execution of the law to be had in the ſame, in the form following.*

CAP.

CAP. I.

The clergy of the convocation ſhall have ſuch liberty as the great men and commonalty which come to the parliament.

The clergy coming to the convocation, ſhall have ſuch liberties as they which come to the parliament.

FIRST, *becauſe the prelates and clergy of the realm of* England, *called to the convocation, and their ſervants and familiars that come with them to ſuch convocations, oftentimes and commonly be arreſted, moleſted, and inquieted*; (2) our ſaid lord the King, willing graciouſly in this behalf to provide for the ſecurity and quietneſs of the ſaid prelates and clergy, at the ſupplication of the ſame prelates and clergy, and by the aſſent of the great men and commons aforeſaid, hath ordained and eſtabliſhed, That all the clergy hereafter to be called to the convocation by the King's writ, and their ſervants and familiars, ſhall for ever hereafter fully uſe and enjoy ſuch liberty or defence in coming, tarrying, and returning, as the great men and commonalty of the realm of *England*, called or to be called to the King's parliament do enjoy, and were wont to enjoy, or in time to come ought to enjoy.

5 H.4.c.6.
11 H.6.c.11.

IN primis quia prelati & clerus regni Anglie ad convocationem evocati eorumque ſervientes & familiares qui cum eiſdem ad convocationem hujuſmodi veniunt ſepius ac frequenter areſtantur moleſtantur & inquietantur volens igitur dictus dominus noſter Rex pro ſecuritate & quiete dictorum prelatorum & cleri in hac parte proſpicere gracioſe ad ſupplicationem eorundem prelatorum & cleri & de aſſenſu procerum magnatum & communitatis predictorum ordinavit & ſtatuit quod vocandi in futurum ad convocationem cleri pretextu brevis regii eorumque ſervientes & familiares eadem libertate ſive immunitate veniendo expectando & redeundo plene gaudeant & utantur perpetuis futuris temporibus qua gaudent & gaudere conſueverunt ſive gaudere debent in futurum proceres ſive magnates & communitas regni Anglie ad parliamentum domini regis vocati ſive vocandi.

CAP. II.

No merchants of England *ſhall enter into the dominion of the King of* Denmark, *but at* Northbarn.

Ex edit. Raſt.

ITEM, becauſe that the King's moſt dear uncle the King of *Denmark*, *Norway*, and *Sweden*, (as the ſame our ſovereign lord the King of his intimation hath underſtood) conſidering the manifold and great loſſes, perils, hurts and damage, which of late happened, as well to him and his, as to other foreigners and ſtrangers, and alſo friends and ſpecial ſubjects of our ſaid ſovereign lord the King of his realm of *England*, by the going in, entering, and paſſage of ſuch foreign and ſtrange perſons into his realm of *Norway* and other dominions, ſtreights, territories, juriſdictions, and places, ſubdued and ſubject to him, eſpecially

eſpecially into his iſles of *Finmark* and elſwhere, as well in their perſons as in their things and goods, for eſchewing of ſuch loſſes, perils, hurts and damages, and that ſuch like (which God prohibit) ſhould not hereafter happen, the ſaid uncle of our ſaid ſovereign lord the King hath ordained and ſtatuted, That all and ſingular ſtrangers, as well *Engliſhmen* and other, willing to apply by ſhip and come into his realm of *Norway* and other dominions, ſtreights, territories, juriſdictions, iſles and places aforeſaid, with their ſhips, to the intent to get or have fiſh, or any other merchandiſes or goods, ſhall apply or come to his town of *Northbarum*, where the ſaid King of *Denmark* hath ſpecially ordained and eſtabliſhed his ſtaple for the concourſe of ſtrangers, and eſpecially of *Engliſhmen*, to the exerciſe of ſuch merchandiſes, granting to the ſaid *Engliſhmen*, that they ſhall there enjoy in and by all things the ſame favour, privileges and and prerogatives, which they of the *Hanſe* did enjoy: therefore our ſaid ſovereign lord the King, willing the love, affinity, and amities to be firmly obſerved, which betwixt his ſaid uncle and his noble progenitors of good memory, their realms, lands, dominions, ſtreights, territories, juriſdictions, and their ſaid places, and the ſame our ſovereign lord the King, and his noble progenitors of famous memory, his great men, ſubjects, realms, lands, and dominions, hath been of old times hitherto continued, nor nothing by our ſaid ſovereign lord the King or his people to be attempted or done, whereby ſuch amities, by reaſon of any diſſentions, enmities or diſcords might be broken, by the advice of the lords ſpiritual and temporal, and of the commons of his ſaid realm of *England* aſſembled in this preſent parliament, hath ordained, prohibiting that none of his liege people nor ſubjects of his realm of *England*, by audacity of their folly, preſume to enter the realms, lands, dominions, ſtreights, territories, juriſdictions and places of the ſaid King of *Denmark*, againſt the ordinances, prohibition and interdiction of the ſame his uncle above remembered, and in contempt of the ſame, upon pain of forfeiture of all their moveable goods, and impriſonment of their perſon at the King's will. Denmark. Rep. 1 H. 8. c. 1.

CAP. III.

Commiſſioners of ſewers may execute their own ordinance.

ITEM noſtre ſeignur le Roi conſiderant coment au darrein parlement tenuz a Weſtm' lan de ſon roialme ſiſme ordeine & grante eſtoit par auctorite du dit parliament qe ſeveralx commiſſions de ſewers ſerroient faitz as diverſes perſones par la chaunceller dEngleterre pur le temps eſteant a nomerz en toutz les parties de roialme ou meſtier ſerroit ſouz certein

ITEM, *our lord the King conſidering how at the laſt parliament holden at* Weſtminſter, *the ſixth year of his reign he did ordain and grant, by authority of the ſaid parliament, That ſeveral commiſſions of ſewers ſhould be made to divers perſons by the chancellor of* England *for the time being, to be named, in all parts of the realm where ſhall be needful, under a certain form in the* 6 H. 6. c. 5.

the ſaid ordinance and grant contained; (2) *by which ordinance and grant the ſaid commiſſioners had no power nor authority to do, perform, nor execute the things compriſed within the ſaid commiſſions*; (3) and therefore he hath ordained and eſtabliſhed, by authority of this parliament, That all ſuch commiſſioners ſhall have power to do, ordain, and execute the ſtatutes, ordinances, and other affairs to be made according to the effect and purport of the ſaid commiſſions.

The commiſſioners of ſewers ſhall have power to execute their ordinances.

certein forme en les ditz ordinance & grante contenuz par quelles ordinance & grante les ditz commiſſioners navoient poair ne auctorite de fair parfourner ne dexecuter les choſes compriſes deinz les ditz commiſſions & pur ceo ad ordeine & eſtablie par auctorite de ceſte preſent parlement qe toutz tielx commiſſioners aient poair pur fair ordiner & executer eſtatuits ordinances & autres affairz ſolonc leffect & purport dez commiſſions avauntditz.

CAP. IV.

None ſhall buy nor wear a livery to have maintenance in any quarrel.

Ex edit. Raſt. Livery of cloth or hats.

ITEM, whereas it is ordained by divers ſtatutes made in the times of the King's noble progenitors, that no Knight, nor other of leſs eſtate ſhould give any livery of cloths or hats to other than to his menials, and his officers and men learned in the one law or the other, upon the pain of an C s. to be levied of the giver, and xl s. of the taker, as often as they do the contrary, and he that would ſue, ſhould have the one half of the pain after that they thereof be duly convict, and that the juſtices of aſſiſes, and juſtices of peace in every county of *England* ſhould have power from time to time in their ſeſſions, to enquire of the ſaid matters, and them to hear and determine, as in the ſaid ſtatutes and ordinances fully appeareth, which ſtatutes and ordinances have not been duly kept, becauſe that they that do contrary to the ſaid ſtatutes and ordinances, before the ſaid juſtices may not be indicted, for great maintenances in this behalf: our ſovereign lord the King, willing to expel ſuch maintenances, hath ordained by the authority aforeſaid, That the ſaid juſtices ſhall have power by the ſame authority, as well at the King's ſuit as the parties, to award writs of attachment and diſtreſs againſt all them, which from henceforth do the contrary of the ſaid ſtatutes and ordinances, in the counties where they hold their ſeſſions, directed to the ſheriffs of the ſame counties, returnable before the ſame juſtices or juſtice for the time being in their ſeſſions. And if the ſaid ſheriffs return, that they againſt whom ſuch writs iſſued, have nothing, then a *Capias* and *Exigend* ſhall be awarded againſt them, in the manner as ſhall be done againſt them that be indicted before juſtices of peace of treſpaſſes done with force and arms againſt the King's peace. And if they appear at any of the ſaid writs, the ſaid juſtices ſhall have power by authority aforeſaid to examine them of the matters aforeſaid. And they whom they find by examination, that have done the contrary of the ſaid ſtatutes and

and ordinances, ſhall incur the pain compriſed in the ſame ſtatutes, that is to ſay, the giver an C s. and the taker xl s. as often as they do the contrary, in the manner and form as they ought if they were by inqueſt duly before the ſaid juſtices convict, ſo that the ſaid ſtatutes and ordinances extend them (as to examination) to liveries for to be given againſt the form of the ſaid ſtatutes thereof made before this time, after the feaſt of *Chriſtmas* next coming. Provided, That the ſaid ordinances extend as well in the counties of *Cheſter* and *Lancaſter* by the examination and proceſs as afore is ſaid, of the juſtice of *Cheſter* or his lieutenant there, as by examination of the juſtices of the county of *Lancaſter*, ſo to be made againſt all them which ſhall do the contrary of the ſaid ordinances in time to come. Provided alſo, That all the ſtatutes and ordinances before made and not repealed, of liveries of cloths by lords given or to be given againſt the form of the ſaid ſtatutes, ſhall ſtand in the force. And that this ſtatute extend not as to the execution of examination to the mayor and ſheriffs of *London*, for the time that they ſhall be officers, ſerjeants of the law, at the time that they take the ſame eſtate upon them, and them that do commence in the univerſities within the realm of *England* at the time of their commencement, nor to them which for the time aforeſaid ſhall take any ſuch liveries of them. And alſo that all thoſe that ſhall take any ſuch liveries of cloths or of hats of any lord ſpiritual or temporal, or of any great lady in or of *England*, againſt the form of the ſaid ſtatutes, they ſhall be likewiſe examined and puniſhed in the manner as they that take ſuch liveries of knights or other of leſs eſtate as before. Provided always, That in the time of war it ſhall be lawful to the lords, knights, and eſquires, that do travel in ſuch war, to give their liveries of clothing or of hats to their ſoldiers, and in ſuch wiſe as to them beſt ſhall ſeem. And that it ſhall be lawful to ſuch ſoldiers to take and wear ſuch liveries of clothing or of hats for the time of ſuch war, without being in any wiſe moleſted in this part by force or virtue of the ſame ſtatutes. And that moreover, if any perſon, of what eſtate or condition he be, after the ſaid feaſt of *Chriſtmas*, as of his own authority and proper coſts do buy or wear for his clothing any cloths or hats called liveries, of the ſort or of ſuit of any lord, lady, knight, eſquire, or other perſon, for to have ſupportation, ſuccour, or maintenance in any quarrel, or in any other manner, if he be thereof duly convict by examination or otherwiſe, before by the ſtatutes declared, he ſhall incur the pain before limited of them that take liveries of lords or other perſons aforeſaid, and moreover ſhall have a whole year's impriſonment without being let to bail or mainpriſe, for their falſity and ſubtil imagination in this part. Rep. 3 Car. 1. c. 4.

CAP. V.

Every city and borough ſhall have a common balance and weight. Who may buy wool and yarn.

ITEM come par la graunde chartre dez libertees du roialme

ITEM, *Whereas by the Great Charter of the liberties of the realm*

9 H. 3. ſtat. 1. c. 10.
14 Ed. 3. ſtat. 1. c. 12.
25 Ed. 3. ſtat. 1. c. 6.
27 Ed. 3. ſtat. 2. c. 10.
13 R. 2. ſtat. 1. c. 9.

realm of England, *and by a ſtatute made the twenty fifth year of King* Edward *the Third, it was ordained, and by a ſtatute made in the thirteenth year of King* Richard *the Second, confirmed, That one weight and one meaſure ſhould be through all the realm of* England, *as well out of the ſtaple as within*; (2) *and in the ſame ſtatute of the ſaid noble king* Edward, *it is contained, that the weight called auncel, for the great hurt and ſubtile deceits done by the ſame meaſure to the common people, ſhall be utterly left, and ſet apart*, (3) *and the wools, and all other manner of merchandiſes, and all other things weighable, bought or ſold, ſhall be weighed by the balance, ſo that the tongue of the balance do not incline more to the one party than the other, with weights ſealed, and according to the ſtandard of the exchequer*; (4) *and he that doth contrary, to the damage of the ſeller, ſhall forfeit to our lord the King the value of the goods ſo weighed or meaſured*; (5) *and that the party complainant ſhall have his quartreble damages.* (6) *And by the ſaid ſtatute of the ſaid noble King* Richard, *it was added, That the offender ſhall be impriſoned by two years, and make fine and ranſom at the will of our lord the King*; (7) *and that the juſtices of peace ſhould have power to inquire of the ſaid defaults, as well at the ſuit of our lord the King, as the parties*; (8) our lord the King, by the authority of this parliament, hath ordained and eſtabliſhed, That the ſtatutes and and ordinances aforeſaid ſhall be firmly kept and holden, and ſtraitly executed.

roialme & par eſtatuit fait lan xxvje. du Roy E. tierce ordine foit & par eſtatuit fait lan xiije. du Roi *Richard* le ſeconde confermee qe une pois & une meſure ſoit parmy tout le roialme ſibien hors de leſtaple come dedeinz & en meſme leſtatuit du dit Roi E. contenu ſoit qe le pois appellez auncell purgraundes damages & ſotilx deceites faitz par icell a le commune poeple ſoit tout outrement leſſez & qe lez lains & toutz manerz des choſes poiſablez achatez ou venduz ſoient poiſez par la balance iſſint qe la lange de balaunce nencline a lune partie ne a lautre oveſqe poiſes enſealez & accordantz a leſtandard de leſcheker et celuy qi face le contrarie al damage del vendour forface au Roy la value des biens enſi poiſez ou meſurez et qe la partie compleignant ait ſez damages au quatreble. Et par le dit eſtatuit du dit Roi *Richard* addez ſoit qe le treſpaſſour ſoit empriſone par deux ans & face fyn & raunceon a la volunte le Roi et qe les juſtices du pees aient poair denquerer dez ditz defautes ſibien al ſuite de Roi come de partie noſtre ſeignur le Roi par auctorite de ceſte parlement ad ordine qe lez ditz eſtatuitz ſoient fermement tenuz & gardez & eſtroitment executz.

Et enoutre pur eſchuer pluſours graundes meſchiefs qount avenuz deinz le dit roialme par lez ditz auncelles et eſpecialment pur deſtruer la fauxetee de les regratours du file appellez yernchoppers ordinez eſt par noſtre dit ſeignur le Roi & par auctorite ſuiſdite qen cheſcune citee burgh & ville du roialme ſoit une commune balance

II. And

lance ovec communes poiſes enſealez & accordantz a leſtandard de leſchequer ſur la commune coſtage du dite cite burgh ou ville en la garde del mair ou conſtables dicell as queux balaunces & communes poiſes toutz les enheritantz de meſme la citee burgh ou ville qi nount tielx poiſes & autres quont ſils voillent puiſſent franchement poiſer ſanz rien ent paier preignant nientmeins dez foreins pur cheſcune trett dedeinz le pois de xl. li. i. qua' & pur cheſcun trett parentre xl. & C. li. i. ob. & pur cheſcune trett parentre C et M li. i. d. a le pluis dont lez poiſes ſeront maintenuz & lofficer loialment poiſant regardez par la diſcretion des chiefs dicell citee burgh ou ville ſolonc ſa entendance a la dite occupation ſoit il pluis ou meins. Et qe null homme achate file de laine appelle wollenyern ſil ne voet ent faire drap ne uſe pois ne meſure ne autre choſe en lieu de pois ou meſure qe ne ſoit enſealez & accordant a le dit eſtandard ne mette aſcun choſe a icell par voie de pendure ou coverture ou en aſcun autre maner qe puiſſe encrecer la meſure ou le pois ou empedier la balaunce par avoir ſon naturell cours ſur les forfaiture & peine deſuiſditz. Et qe les juſtices de pees mairs baillifs & ſeneſchalx des fraunchiſes aient poair par auctorite ſuiſdite dexaminer les treſpaſſours en ceo cas & pur enquierer en eſpecial de toutz treſpaſſours encountre ceſt ordinance & a fair execution diceux qi ſount trovez defectifs par enqueſtes ou par examination affair par lez ditz juges ou officer en ceo cas en maner come deſuis eſt dit. Et qe ceſte ordi-

II. And moreover, for to eſchew divers great miſchiefs which have happened within the realm of *England* by the ſaid auncel, and eſpecially for to deſtroy the falſehood of the regrators of yarn, called *Yerne-Choppers*, (2) it is ordained by our ſaid lord the King, by authority aforeſaid, That in every city, borough, and town of the realm of *England*, a common balance ſhall be, with common weights ſealed, and according to the ſtandard of the exchequer, upon the common coſts of the ſaid city, borough, or town, in the keeping of the mayor or conſtable of the ſame; (3) at which balance and common weight, all the inhabitants of the ſame city, borough, or town, that have not ſuch weights, and other that have, if they will, may freely weigh without any thing paying; (4) taking nevertheleſs of foreigns for every draught within the weight of xl. li. a farthing, and for every draught betwixt forty pound and an hundred pound, an halfpenny, and for every draught betwixt an hundred pound and a thouſand pound, a penny at the moſt; (5) whereof the weights ſhall be maintained, and the officer lawfully weighing rewarded by the diſcretion of the chief men of the city, borough, or town, according to his attendance to his ſaid buſineſs, be it more or leſs. (6) And that no man buy yarn of wool, called woollen yarn, unleſs he will make cloth thereof, nor uſe weight nor meaſure, nor other thing in the place of weight or meaſure, that is not ſealed according to the ſaid ſtandard, nor ſet any thing

Regrators of yarn called Yern choppers.

Every city, borough, and town, ſhall have a common balance and weights.

No man ſhall buy woollen yarn, unleſs he will make cloth thereof. Rep. 21 Jac. 1. c. 28.

thing to the ſame by the way of tacking or hiding *, or in any other manner that may increaſe the meaſure or weight, or let the balance to have his natural courſe, upon the forfeiture and penalty aforeſaid. (7) And that the juſtices of peace, mayors, bailiffs, and ſtewards of franchiſes, have power by authority aforeſaid to examine the treſpaſſers in this caſe, and to inquire in eſpecial of offenders againſt this ordinance, and to do execution of them that be found faulty by inqueſts, or by examination to be made by the ſaid judges or officers in this caſe, in the manner as afore is ſaid. (8) And that this ordinance be holden and obſerved from the feaſt of *Eaſter* next enſuing, for ever. (9) And that every city, upon pain of ten pounds, every borough upon pain of an hundred ſhillings, and every town where a conſtable is upon pain of forty ſhillings, have a common balance with weights according to the ſaid ſtandard, within two months after proclamation made of this ordinance; which penalty ſhall be levied to the uſe of our lord the King, as often as they ſhall be faulty after the ſaid proclamation.

* *By way of hanging or covering.*

The forfeiture of a city or town wanting common balance and weights.

9 H. 6. c. 6. & 8.
11 H. 6. c. 8.
21 H. 7. c. 4.

ordinance ſoit tenuz & obſervez de le feſt de paſqe proſchein enſuant pur toutz jours. Et qe cheſcun citee ſur peine de x. li. cheſcune burgh ſur peine de C. s. & cheſcune ville ou un coneſtable eſt ſur peine de xl. s. ait une commune balaunce ovec poiſes accordantz a le dit eſtandard dedeinz deux mois apres proclamation faite de ceſte ordinance les quelles peines ſerront levez al oeps de Roi a tant de foitz qils ſerront trovez defectifs depuis la proclamation deſſuiſdite.

CAP. VI.

If any threaten by caſting of bills to burn a houſe, if money be not laid in a certain place; and after do burn the houſe: Such burning of houſes ſhall be adjudged high treaſon.

Bills.

ITEM, foraſmuch as our ſovereign lord the King, at the grievous complaint to him made by the commons of this realm of *England* in the full parliament hath conceived, that divers great miſchiefs and ſubtil felonies and robberies now late have been done in the town of *Cantebridge*, and in other places in the county of *Kent*, and *Eſſex*, and in other places in the realm of *England*, by people offenders unknown, which make divers bills, directed to divers people of the ſame towns, counties, and other places of the realm of *England*, commanding them to put divers great ſums of money in certain places, where the ſaid offenders might lightly carry the ſame away, without being taken or perceived, certifying in the ſaid bills, that if they put not the ſame money in the places by the ſaid bills aſſigned at a certain day, that the ſaid offenders would do the greateſt and moſt outragious vengeance that they might to all them that would not ſet ſuch ſums there. And for becauſe that ſuch ſums have not been put in divers places, according to the purport of the ſame bills, many houſes and goods and chattels of divers

divers perſons have been felonioufly and traiterouſly at *Cantebridge* and elſewhere in the counties and places aforeſaid, burnt and utterly deſtroyed, whereby, the people and the towns, counties, and other places aforeſaid, be greatly impoveriſhed, and in point to be finally deſtroyed. The ſame our ſovereign lord the King, willing in this caſe to provide remedy, hath ordained by authority of this parliament, That all ſuch burnings of houſes of any perſon, ſhall be judged high treaſon. And that this ordinance extend as well in ſuch burnings made after the firſt day of the reign of our ſovereign lord the King till this time, as to burnings to be made in time to come. Saving always to all lords and other perſons their liberties and franchiſes as hath been done and uſed before this time, in caſe of forfeiture of felony.

Burnings of houſes. Rep. 1 Ed. 6. c. 12. 9 G. 1. c. 22.

CAP. VII.

What ſort of men ſhall be chooſers, and who ſhall be choſen knights of the parliament.

ITEM come lez elections dez chivalers dez countees eſluz a venir as parlements du Roi en pluſours countees dEngleterre ore tarde ount eſte faitz par trop graunde & exceſſive nombre dez gentz demurantz deinz meſmes les countes dount la greindre partie eſtoit par gentz ſinon de petit avoir ou de null valu dount cheſcun pretende davoir voice equivalent quant a tielx elections faire ove les pluis valantz chivalers ou eſquiers demurrantz deinz meſmes les countes dount homicides riotes bateries & diviſions entre les gentiles & autres gentz de meſmes les countes veriſemblablement ſourdront & ferront ſi covenable remedie ne ſoit purveu en celle partie noſtre ſeignur le Roy conſiderant les premiſſes ad purveu & ordene par auctorite de ceſt parlement qe les chivalers des countes deins le roialme dEngleterre a eſliers a venir a les parlements en apres a tenirs ſoient eſluz en cheſcun counte par gentz demurrantz & reſeantz en icelles dount cheſcun ait frank tenement

ITEM, *Whereas the elections of knights of ſhires to come to the parliaments of our lord the king, in many counties of the realm of* England, *have now of late been made by very great, outragious, and exceſſive number of people dwelling within the ſame counties of the realm of* England, *of the which moſt part was of people of ſmall ſubſtance, and of no value, whereof every of them pretended a voice equivalent, as to ſuch elections to be made, with the moſt worthy knights and eſquires dwelling within the ſame counties, whereby manſlaughters, riots, batteries, and diviſions among the gentlemen, and other people of the ſame counties, ſhall very likely riſe and be, unleſs convenient and due remedy be provided in this behalf*; (2) our lord the King, conſidering the premiſſes, hath provided, ordained, and ſtabliſhed, by authority of this preſent parliament, That the knights of the ſhires to be choſen within the ſame realm of *England* to come to the parliaments of our lord the King hereafter to be holden, ſhall be choſen in every county of the realm

The qualifications of the electors of the knights for the parliament. 1 H 5. c. 1. 10 H. 6. c. 2.

realm of *England*, by people dwelling and reſident in the ſame counties, whereof every one of them ſhall have free land or tenement to the value of forty ſhillings by the year at the leaſt above all charges; (3) and that they which ſhall be ſo choſe ſhall be dwelling and reſident within the ſame counties; (4) and ſuch as have the greateſt number of them that may expend forty ſhillings by year and above, as afore is ſaid, ſhall be returned by the ſheriffs of every county, knights for the parliament, by indentures ſealed betwixt the ſaid ſheriffs and the ſaid chooſers ſo to be made. (5) And every ſheriff of the realm of *England* ſhall have power, by the ſaid authority, to examine upon the evangeliſts every ſuch chooſer, how much he may expend by the year; (6) and if any ſheriff return knights to come to the parliament contrary to the ſaid ordinance, the juſtices of aſſiſes in their ſeſſions of aſſiſes ſhall have power, by the authority aforeſaid, thereof to inquire; (7) and if by inqueſt the ſame be found before the juſtices, and the ſheriff thereof be duly attainted, that then the ſaid ſheriff ſhall incur the pain of an hundred pounds, to be paid to our lord the King, and alſo that he have impriſonment by a year, without being let to bail or mainpriſe; (8) and that the knights for the parliament returned contrary to the ſaid ordinance, ſhall loſe their wages.

What is required of the candidates. 6 H. 6. c. 4. Altered by 10 H. 6. c. 2.

The ſheriff impowered to examine the electors upon oath, touching their eſtates. Juſtices of aſſiſe to inquire of the returns of knights to parliament. Penalty on the ſheriff for undue returns. 11 H. 4. c. 1. 23 H. 6. c. 15. Raſt. 446.

Knights falſly returned ſhall loſe their wages.

Provided always, That he which cannot expend forty ſhillings by year, as afore is ſaid, ſhall in no wiſe be chooſer of the knights for the parliament; (2) and that in every writ that ſhall hereafter go forth to the ſheriffs

ment a le valu de xl s. par an al meins outre les repriſes & qe ceux qi ſerront enſy eſluz ſoient demurrantz & reſeantz deins meſmes les countes & ceux qi ount le greindre nombre de yceulx qi poient expendre par an xl s. & outre come deſuis eſt dit ſoient retournez par les viſcontz de cheſcun countee chivalers pur le parlement par indentures enſealles parentre les ditz viſcountz & les ditz eſliſours ent affaires. Et eit cheſcun viſcont dEngleterre poair par auctorite ſuiſdite dexaminer ſur les ſeintz evangelies cheſcun tiel eliſour comebien il poet expendre par an & ſi aſcun viſcount retourne chivalers pur venir au parlement au contrarie de yceſt ordinaunce qe leſt juſtices des aſſiſes en lour ſeſſions des aſſiſes aient poar par auctorite ſuiſdite de ceo enquerer. Et ſi par inqueſt ceo ſoit trove devaunt meſmes les juſtices & le viſcount de ceo duement atteint qadonqs le dit viſcounte encourge la peine de C. li. a paiers a noſtre ſeignur le Roy & auxi qil ait impriſonement par un an ſaunz eſtre leſſez au baille au mainpriſe & qe les chivalers pur le parlement au contrarie la dite ordinance retournez perdent lour gages.

Purveu toutfoitz qe celluy qi ne poet expendre xl s. par an come deſuis eſt dit ne ſoit en aſcun manere eſliſour des chivalers pur le parlement. Et qe en cheſcun briefe qe iſſera en apres as viſcount pur eſlier chivalers pur le parlement ſoit mention fait des ditz ordinances.

ſheriffs to chooſe knights for the parliament, mention be made of the ſaid ordinances.

CAP. VIII.

The ſtatute of 6 HEN. VI. c. 3. *confirmed, touching the wages of labourers, ſervants, artificers, and workmen.*

ITEM, whereas in the laſt parliament a good and notable ſtatute was ordained of labourers, ſervants, artificers, and workmen, how much they and every of them ſhould take by the year, half year, day, or week, and of other things compriſed in the ſame ſtatute and ordinance, which now be expired, becauſe that they were not ordained to endure but to the next parliament then after to be holden. Our ſovereign lord the King, conſidering that the ſaid ſtatute and ordinance was in other time made for the weale and common profit of the realm of *England*, and that they ſhould be much profitable to the ſame realm, if they might endure and be obſerved, hath ordained by authority of this parliament, that the ſaid ſtatute and ordinance be holden and kept, and put in due execution till the King hath otherwiſe declared his will in the full parliament. Labourers. Rep. 5 Eliz. c. 4.

CAP. IX.

The duty of juſtices of peace where land is entered upon or detained with force.

ITEM come par le Roy *Richard* nadgairs Roi dEngleterre puis le conqueſt ſeconde a ſon parlement tenuz a Weſtm' lendemain des Almes lan de ſon reign xvme entre autres choſes ordinez eſtoit & eſtabliez qe les eſtatuts & ordinances faitz & nient repellez de ceux qi fount entrees ove fort main en terres tenementz ou autres poſſeſſions qeconqs & lour teignent eins ove force & auxi de ceux qi fount inſurrections riotes routes chivaches ou aſſembles en diſtourbance de la peas ou de la commune ley ou en affraie del poeple ſerroient tenuz & plenement executes. Et outre ceo ordine eſt par meſme leſtatut qe toutz les foitz qe tiels forcibles entres ſoient faitz & pleint ent veigne as juſtices de peas ou aſcun deux qe meſmes les juſtices ou juſtice preignent ou preigne poair del countee & voiſent ou voiſe

ITEM, *whereas by the noble King* Richard *late King of* England, *after the conqueſt the Second, at his parliament holden at* Weſtminſter *the morrow after* All-Souls, *the fifteenth year of his reign, amongſt other things, it was ordained and eſtabliſhed, That the ſtatutes and ordinances made, and not repealed, of them that make entries with ſtrong hand into lands or tenements, or other poſſeſſions whatſoever, and them hold with force, and of them that make inſurrections, riots, routs, ridings, and aſſemblies, in diſturbance of the peace, or of the common law, or in affray of the people, ſhould be holden and fully executed.* (2) *And moreover it is ordained by the ſame ſtatute, That at all times that ſuch forcible entries be made, and complaint thereof come to the juſtices of peace, or any of them, that the ſame juſtices or juſtice ſhall take the power of the county, and ſhall go, or one of them* The ſtatute of 15 R. 2. c. 2. touching forcible entries rehearſed and confirmed. 4 Co. 48. Hob. 94. 1 Hawk. Pl. Cr. c. 64.

them ſhall go, to the place where ſuch force is made; (3) *and if they find, or he findeth, any holding ſuch place forcibly, after ſuch entry made, they ſhould be taken and put in the next gaol, there to remain convict by the record of the ſame juſtices or juſtice, until they have made fine and ranſom to the King;* (4) *and that all the people of the county, as well ſheriffs as other, ſhall be attending to the ſaid juſtices, and to aſſiſt them to arreſt ſuch malefactors, upon pain of impriſonment, and to make fine and ranſom to the King. And that in the ſame manner be done of them that make forcible entries into benefices or offices of holy church, as in the ſame ſtatute is contained more at large.*

voiſe al lieu ou tiel force ſoit fait & ſils trovent ou trove aſcuns tenauntz tiel lieu forciblement apres tiel entre fait ſoient priſez & miſez en proſchien gaole a y demurer convictz de record de meſmes les juſtices ou juſtice tanqe ils eient faitz fyn & raunceon au Roy. Et qe toutz gentz de counte ſibien viſcountz come autres ſoient entendantz as ditz juſtices de eux enforcier pur areſtier tiels malefaiſours ſur peine dempriſonement & de faire fyne & raunceon au Roy. Et qe en meſme le manere ſoit fait de ceux qi fount forcibles entres en benefices ou office de ſeint eſgliſe come en meſme leſtatut eſt contenuz pluis au plein.

The defects of the ſtatute of 15 R. 2. c. 2. Palmer, 277.

II. *And for that the ſaid ſtatute doth not extend to entries in tenements in peaceable manner, and after holden with force, nor if the perſons which enter with force into lands and tenements, be removed and voided before the coming of the ſaid juſtices or juſtice, as before, nor any pain ordained if the ſheriff do not obey the commandments and precepts of the ſaid juſtices for to execute the ſaid ordinance, many wrongful and forcible entries be daily made in lands and tenements by ſuch as have no right, and alſo divers gifts, feoffments, and diſcontinuances ſometimes made to lords, and other puiſſant perſons, and extortioners within the ſaid counties where they be converſant, to have maintenance, and ſometimes to ſuch perſons as be unknown to them ſo put out, to the intent to delay and defraud ſuch rightful poſſeſſors of their right and recovery for ever, to the final diſheriſon of divers of the King's faithful liege people, and likely daily to increaſe, if due remedy be not provided*

Et pur taunt qe le dit eſtatut nextende my as entres en tenementz en peiſible manere & apres tenuz ove force ne ſi les perſones qentront ove force en terres ou tenementz ſoient remoevez & voidez devaunt le venu des ditz juſtices ou juſtice come devaunt ne null peine ordine ſi le viſcount ne obeie my les maundementz & precepts des ditz juſtices pur executier lordinance ſuiſdit plouſours torcenouſes & forcibles entres ſount faitz de jour en autre en terres & tenementz par ceux qi droit nount. Et auxi diverſes douns feoffementz & diſcontinuances aſcun foitz faitz as ſeignurs & autres perſones puiſſantz & extortioners deins les countes ou ils ſount converſantz pur maintenance avoir & aſcuns foitz as tiels perſones enſy ouſtez diſconuz a tiel entent pur delaier & defrauder tiels droiturelx poſſeſſours de lour droit & recoverer a toutz jours a final diſheriteſon de pluſours des foials lieges de

Roi

Roy & ſemblable eſt dencreſcer de jour en autre ſi du remedie ne ſoit purveu celle partie. Noſtre ſeignur le Roy conſiderant les premiſſes ad ordene qe le dit eſtatut & toutz autres eſtatutz de tiels entres ou alienation devaunt faitz ſoient tenuz & duement executz ajouſtant a icelle qe ſi defore en avaunt aſcun face tiel forcible entre en terres tenementz ou autres poſſeſſions ou eux tiegne forciblement apres compleint ent fait deins meſme le counte lou tiel entre ſoit fait as juſtices de peas ou un de eux par la parte greve qe les juſtices ou juſtice enſy garny deins temps covenable facent ou face duement executer le dit eſtatut & ceo as coſtages del partie enſy greve.

Et outre ceo coment qe tielx perſones faiſantz tiel entre ſoient preſentz ou voidez devaunt la venu des ditz juſtices ou juſtice nientmeins meſmes les juſtices ou juſtice en aſcun bone ville pluis proſchein as tenementz enſy entrez ou en aſcun lieu covenable ſolonc loure diſcretion eient & cheſcun de eux eit auctorite & poair denquerer par gentz de meſme le countee auxibien de ceux qi fount tielx forcibles entrees en terres & tenementz come de ceux qi eux teignent ove force. Et ſi trove ſoit devaunt aſcun deux qe aſcun face le contrarie de ceſt eſtatut adonqs les ditz juſtices ou juſtice facent ou face reſeiſer les terres & tenementz enſy entrez ou tenuz come devaunt & mettre la partie enſy ouſte en plein poſſeſſion de meſmes les terres & tenementz come devaunt entrez ou tenuz. Et ſi aſcune perſone apres tiel entre en terres ou tenementz tenuz

vided in this behalf: (2) our lord the King conſidering the premiſſes, hath ordained, That the ſaid ſtatute, and all other ſtatutes of ſuch entries or alienations made in times paſt, ſhall be holden and duly executed; (3) joined to the ſame, That from henceforth where any doth make any forcible entry in lands and tenements, or other poſſeſſions, or them hold forcibly, after complaint thereof made within the ſame county where ſuch entry is made, to the juſtices of peace, or to one of them, by the party grieved, that the juſtices or juſtice ſo warned, within a convenient time ſhall cauſe, or one of them ſhall cauſe, the ſaid ſtatute duly to be executed, and that at the coſts of the party ſo grieved.

The office and duty of juſtices of peace when any forcible entry is made into lands, or peaceable entry, and after detaining with force. Carthew, 49.

III. And moreover though that ſuch perſons making ſuch entry be preſent, or elſe departed before the coming of the ſaid juſtices or juſtice, notwithſtanding, the ſame juſtices or juſtice in ſome good town next to the tenements ſo entered, or in ſome other convenient place, according to their diſcretion, ſhall have, or either of them ſhall have, authority and power to inquire by the people of the ſame county, as well of them that make ſuch forcible entries in lands and tenements, as of them which the ſame hold with force; (2) and if it be found before any of them, that any doth contrary to this ſtatute, then the ſaid juſtices or juſtice ſhall cauſe to reſeiſe the lands and tenements ſo entered or holden as afore, and ſhall put the party ſo put out in full poſſeſſion of the ſame lands and tenements ſo entered or holden as before. (3) And if any

The remedy where any perſon entering by force doth aliene the ſame land to have maintenance. 1 R. 2. c. 9. 9 Co 118. 11 Co. 65.

any perſon, after ſuch entry into lands or tenements holden with force, make a feoffment or other diſcontinuance to any lord or other perſon, to have maintenance, or to take away and defraud the poſſeſſor of his recovery in any wiſe, if after in aſſiſe, or other action thereof to be taken or purſued before juſtices of aſſiſes, or other the King's juſtices whatſoever, by due inquiry thereof to be taken, the ſame feoffments and diſcontinuances may be duly proved to be made for maintenance, as afore is ſaid, that then ſuch feoffments, or other diſcontinuance, ſo as before made, ſhall be void, fruſtrate, and holden for none.

tenuz ove force face feoffement ou autre diſcontinuance a aſcun ſeignur ou autre perſone pur maintenaunce avoier ou pur toller & defrauder le poſſeſſour de ſa recoverer en aſcun maner ſi apres en aſſiſe ou autre action ent deſtre priſe ou purſuez devaunt juſtices des aſſiſes ou autres juſtices le Roy qiconqs par deu enquerre ent apprendre purra duement eſtre prove meſmes les feoffementz & diſcontinuances eſtre faitz pur maintenaunce come deſuis eſt dit qe adonqes tielx feoffementz ou autre diſcontinuance enſy come devaunt faitz ſoient voidez irritez & tenuz pur nulle.

The juſtices precept to the ſheriff to return a jury to inquire of forcible entries.

IV. And alſo when the ſaid juſtices or juſtice make ſuch inquiries as before, they ſhall make, or one of them ſhall make, their warrants and precepts to be directed to the ſheriff of the ſame county, commanding him of the King's behalf to cauſe to come before them, and every of them, ſufficient and indifferent perſons, dwelling next about the lands ſo entered as before, to inquire of ſuch entries, (2) whereof every man, which ſhall be impanelled to inquire in this behalf, ſhall have land or tenement of the yearly value of forty ſhillings by year at the leaſt, above repriſes. (3) And that the ſheriff return iſſues upon every of them at the day of the firſt precept returnable xx. s. and at the ſecond day xl. s. and at the third time C. s. and at every day after, the double. (4) And if any ſheriff or bailiff within a franchiſe, having return of the King's writ, be ſlack, and make not execution

Juror to have 40 s. per Ann.

The ſheriff's penalty for omitting his duty.

Et auxi quant les ditz juſtices ou juſtice ferrent tielx enquerrez come devaunt facent ou face lour garrantz & precepts directz al viſcount de meſme le counte luy comaundant depar le Roy de fair venir devaunt eux & cheſcun deux perſones ſufficiantz & indifferentz pluis proſcheins demurrantz entour les tenementz enſy entrez come devaunt denquerrer de tielx entreez dount cheſcun qi ſerra empanelle denquerer en celle partie ait terre ou tenement de annuel value de xl. s. par an au meins outre les repriſes. Et qe le viſcount retourne iſſuez ſur cheſcun deux au jour de primer precept retornable xx. s. & al ſeconde jour xl. s. & al tierce foitz C. s. & au cheſcun jour apres le double. Et ſi aſcun viſcount ou bailly deinz fraunchiſe aiantz retourne de briefe du Roy ſoit lacche & ne face duement execution des ditz preceptz a luy directz pur tielx enquerrez faire qil forface devers le Roy xx. li. pur cheſcun defaut & outre face fyn & raunceon au Roy.

Et

Et qe auxbien les juſtices ou juſtice avauntditz come les juſtices des aſſiſes a lour venir en pais pur aſſiſes prendre eient & cheſcun de eux ait poair doier & terminer tielx defautes & negligences des ditz viſcontz & baillifs & cheſcun de eux auxibien par bille al ſuite del partie greve pur luy meſme come pur le Roy a ſuier come par enditement a prendre pur le Roy ſoulement. Et ſi le viſcount ou bailly ſoit duement atteint en celle partie par enditement ou par bille qe celuy qi ſue pur luy & pur le Roy eit une moitee de la forfaiture de xx. li. enſemblement ove ſes coſtages & expenſes. Et qe meſme la proceſſe ſoit fait vers tielx enditees ou ſuez par bille en celle partie ſicome ſerroit vers enditez ou ſuez par briefe de treſpaſs fait ove force & armes encountre la peas du Roy.

Et outre ceo ſi aſcun perſone ſoit ouſte ou diſſeiſie daſcuns terres ou tenementz ove forcible manere ou ouſte peiſiblement & apres tenuz dehors ove forte main ou apres tielle entre aſcun feoffement ou diſcontinuance en aſcune manere ent ſoit fait pur defrauder & toller le droit del poſſeſſour qe la partie greve en celle partie eit aſſiſe de novell diſſeiſeine ou briefe de treſpas vers tiel diſſeiſour. Et ſi la partie greve recovere par aſſiſe ou par action de treſpas & trove ſoit par verdit ou en autre manere par due forme en ley qe la partie defendant entra ove force en terres & tenementz ou eux par force apres ſon entree tiendra qe le pleyntif recovera ſes damages au treble vers le defendant & outre ceo qil face fyn & raunceon au Roy. Et qe mairs juſtices

tion duly of the ſaid precepts to him directed to make ſuch inquiries, that he ſhall forfeit to the King xx. li. for every default, and moreover ſhall make fine and ranſom to the King.

V. And that as well the juſtices or juſtice aforeſaid, as the juſtices of aſſiſes, and every of them, at their coming into the country to take aſſiſes, ſhall have, and every of them ſhall have, power to hear and determine ſuch defaults and negligences of the ſaid ſheriffs and bailiffs, and every of them, as well by bill at the ſuit of the party grieved for himſelf as for the King, to ſue by indictment only to be taken for the King. (2) And if the ſheriff or bailiff be duly attainted in this behalf by indictment, or by bill, that he which ſueth for himſelf and for the King have the one moiety of the forfeiture of xx. li. together with his coſts and expences. (3) And that the ſame proceſs be made againſt ſuch perſons indicted or ſued by bill in this behalf, as ſhould be againſt perſons indicted or ſued by writ of treſpaſs done with force and arms againſt the peace of the King.

What action may be had againſt him who doth put out, or keep him out of poſſeſſion with force. Savil. 68. 10 Co. 116. 11 Co. 30.

VI. And moreover, if any perſon be put out, or diſſeiſed of any lands or tenements in forcible manner, or put out peaceably, and after holden out with ſtrong hand; or, after ſuch entry, any feoffment or diſcontinuance in any wiſe thereof be made, to defraud and take away the right of the poſſeſſor; that the party grieved in this behalf ſhall have aſſiſe of *Novel diſſeiſin*, or a writ of treſpaſs againſt ſuch diſſeiſor. (2) And if the party grieved recover

recover by aſſiſe, or by action of treſpaſs, and it be found by verdict, or in other manner by due form in the law, that the party defendant entered with force into the lands and tenements, or them after his entry did hold with force, that the plaintiff ſhall recover his treble damages againſt the defendant; (3) and moreover, that he make fine and ranſom to the King. And that mayors, juſtices or juſtice of peace, ſheriffs, and bailiffs of cities, towns, and boroughs, having franchiſe, have in the ſaid cities, towns, and boroughs, like power to remove ſuch entries, and in other articles aforeſaid, riſing within the ſame, as the juſtices of peace and ſheriffs in counties and countries aforeſaid have.

The authority of the chief officers in cities, &c. to repreſs force. Inforced by 31 El. c. 11.

They may keep their land by force, who have had three years poſſeſſion. Co. Lit. 257. Salk. 356. Regiſt. 289. 5 R. 2. ſtat. 1. c. 7. 4 H. 4. c. 8.

ſtices ou juſtice de peas viſcountz & baillifs des citees villes & burghs aiantz franchiſe eient en les ditz citees villes & burghs autiel poair de tielx entrees ouſtier & en autres articles deſuiſdites emergentz deinz ycelles come ount les juſtices de peas & viſcountes en countees & pais ſuiſdites.

Purveu toutz foitz qe ceux qi gardent par force lour poſſeſſions en aſcuns terres ou tenementz dount ils ou lour aunceſtres ou ceux queux eſtat ils ount en tiels terres & tenementz ount contenuz lour poſſeſſions en ycelles par trois ans ou pluis ne ſoient my endamagez par force de celle eſtatut.

VII. Provided always, That they which keep their poſſeſſions with force in any lands and tenements, whereof they or their anceſtors, or they whoſe eſtate they have in ſuch lands and tenements, have continued their poſſeſſions in the ſame by three years or more, be not endamaged by force of this ſtatute.

CAP. X.

Proceſs awarded againſt thoſe which dwelling in foreign counties be indicted or appealed.

Inforced by 10 H. 6. c. 6. 3 Inſt. 31. The inconveniences of indicting or appealing any perſon in one county that is converſant in another.

ITEM, *our lord the King conſidering how divers perſons for their private revenge, and not of right, maliciouſly by ſubtile imagination have cauſed and procured many of his faithful liege people falſly to be indicted and appealed of ſeveral treaſons, felonies, and treſpaſſes, before juſtices of the peace, and other commiſſioners and juſtices, and others having power to take indictments or appeals in divers foreign counties, liberties, and franchiſes of* England, *in which the ſaid lieges be not, nor at any time were, converſant nor dwelling*; (2) *by force of which indictments and appeals, and the proceſſes upon them made in the ſaid*

ITEM noſtre ſeignur le Roy conſiderant coment diverſes perſones pur lour ſinguler vengeance & nient de droit malicioufment par ſotile ymagination ount faitz & procurez de fauxment enditer & appeller diverſez de ſez foialx lieges de diverſes treſons felonies & treſpas devaunt juſtices de peas & autres commiſſioners & juſtices & autres aiantz poair de prendre enditementz ou appelles en diverſes foreins countees libertees & fraunchiſes dEngleterre es queux les ditz lieges ne ſount ne unqes feuſſent converſantz ne demurantz par force des queux inditementz

&

& appelles & les proceſſes ſur eux faitz en les ditz countees fraunchiſez & libertees les ditz perſones enſy enditez ount eſte & de jour en autre ſount mys en exigent & puis utlagez & ſur ceo lour biens & chatieux terres & tenementz forfaitz & eux en grande perile de lour vies la ou les ditz perſones enſy enditez appellez ou mys en exigent ou utlagez navoient unqs coniſſance de tielx enditementz appellez exigentz ne utlagaries les queux fauxine & malice de jour en autre habundent & encreſcent en divers countees libertees & fraunchiſes dEngleterre en graunt anienteſment perde & perpetuell deſtruction de pluſors de ſez ditz foialx & innocentz lieges & veriſemblable eſt dencreſcer en apres ſi remedie covenable ne ſoit ordeine & purveu en celle partie.

Et pur ceo meſme noſtre ſeignur le Roy de ſa grace eſpeciale & par auctoritee de ceſt parlement pur eaſe ſalvation & tranquillite de ſez foialx lieges de ceſt roialme ad fait ordiner & eſtablir qe ſur cheſcun enditement ou appelle par la quelle aſcuns des ditz lieges demurrantz en autres countees qe la ou tiel enditement ou appell ſoit ou ſerra pris de treſon felonie & treſpaſs apprendre en apres devaunt juſtices de peas ou devaunt aſcun aiant poair de tielx enditementz ou appelles prendre ou autres commiſſioners ou juſtice en aſcun countee franchiſe ou libertee dEngleterre devaunt aſcun exigend' agarde ſur aſcun enditement ou appelle en la forme avauntdite aprendre qe maintenant apres le primere briefe de capias ſur cheſcun tiel enditement

ſaid counties, franchiſes, and liberties, the ſaid perſons, ſo indicted have been, and daily be put in Exigent, *and after outlawed, and thereupon their goods and chattles, lands and tenements forfeit, and they in great jeopardy of their lives, whereas the ſaid perſons ſo indicted, appealed, or put in* Exigent, *or outlawed, had never knowledge of ſuch indictments, appeals,* Exigents, *or outlawries*; (3) *which falſhood and malice daily doth abound and increaſe in divers counties, liberties, and franchiſes of* England, *in great hindrance, loſs, and perpetual deſtruction of many of his ſaid faithful and innocent liege people, and very likely to increaſe hereafter, if convenient remedy be not ordained and provided in this behalf.*

Proceſs upon indictments of perſons dwelling in foreign counties. 10 H. 6. c. 6.

II. And therefore the ſame our lord the King, of his ſpecial grace, and by authority of this parliament, for eaſe and tranquillity of his faithful lieges of this realm, hath cauſed to be ordained and ſtabliſhed, That upon every indictment or appeal by the which any of the ſaid lieges dwelling in other counties than there where ſuch indictment or appeal is or ſhall be taken of treaſon, felony, and treſpaſs, to be taken hereafter before the juſtices of peace, or before any other having power to take ſuch indictments or appeals, or other commiſſioners or juſtices in any county, franchiſe, or liberty of *England*, before any exigent awarded upon any indictment or appeal in the form aforeſaid to be taken, that preſently after the firſt writ of *Capias* upon every ſuch indictment or appeal awarded and returned, that another writ of *Capias* be award-

awarded, directed to the ſheriff of the county, whereof he which is ſo indicted is or was ſuppoſed to be converſant by the ſame indictment, returnable before the ſame juſtices or commiſſioners before whom he is indicted or appealed at a certain day, containing the ſpace of three months from the date of the ſaid laſt writ, where the counties be holden from month to month; and where the counties be holden from ſix weeks to ſix weeks, he ſhall have the ſpace of four months, until the day of the return of the ſame writ; (2) by which writ of ſecond *Capias*, be it contained and commanded to the ſame ſheriff, to take him which is ſo indicted or appealed, by his body, if he can be found within his bailiwick; (3) and if he cannot be found within his bailiwick, that the ſaid ſheriff ſhall make proclamation in two counties before the return of the ſame writ, that he which is ſo indicted or appealed ſhall appear before the ſaid juſtices or commiſſioners in the county, liberty, or franchiſe where he is indicted or appealed, at the day contained in the ſaid laſt writ of *Capias*, to anſwer to our lord the King, or to the party, of the felony, treaſon, or treſpaſs, whereof he is ſo indicted or appealed; (4) after which ſecond writ of *Capias* ſo ſerved and returned, if he which is ſo indicted or appealed come not at the day of the ſame writ of *Capias* returned, the *Exigent* ſhall be awarded againſt ſuch perſons indicted or appealed, and every of them.

ditement ou appelle agarde & retourne qe un autre briefe de Capias ſoit agarde directe al viſcount del countee dount celly qi eſt enſy enditez eſt ou fuiſt ſuppoſe deſtre converſant par meſme lenditement retournable devaunt meſmes les juſtices ou commiſſioners devaunt queux il eſt endite ou appelle a un certein jour conteinant la ſpace de trois mois de la date du dit darrein briefe ou les countes ſe teignent de mois en mois & la ou les countees ſount tenuz deſys ſepmains en ſys ſepmains ait leſpace de quatre mois tanqal jour de retourne de meſme le briefe par quel briefe de ſeconde Capias ſoit contenuz & comaunde a meſme le viſcount de prendre celuy qi eſt enſy endite ou appelle par ſon corps ſil poet eſtre trove deins ſa baillie. Et ſil ne poet mye eſtre trove deins ſa baillie qe le dit viſcount face proclamation en deux countees devaunt le retourne de meſme le briefe qe celuy qeſt enſy endite ou appelle appierge devaunt les ditz juſtices ou commiſſioners en le countee libertee ou franchiſe ou il eſt endites ou appellez al jour contenu en le dit darrein briefe de Capias a reſpoundre a noſtre dit ſeignur le Roy & au partie de la felonie treſon ou treſpaſſe dount il eſt enſy enditez ou appellez apres quel ſecond briefe de Capias enſy ſervy & retournee ſi celuy qi eſt enſy enditez ou appellez ne veigne al jour de meſme le briefe de Capias retourne ſoit exigend' agardez envers tielx endites ou appellez & cheſcun de eux.

Hob. 166. 3 Co. 59.

III. And if any *Exigent* hereafter be awarded upon any ſuch indictment or appeal againſt the

Et ſi aſcun exigend' enapres ſoit agarde ſur aſcun tiel enditement ou appelle countre la forme

forme avauntdite ou aſcun utlagarie ſur ceo pronunciez ſoit ſibien cell exigend' enſy agarde come la utlagarie ſur ceo pronuncie & cheſcun de eux tenuz pur null & voide et qe la partie ſur qi tiel exigend' encountre la forme avauntdite ſoit agarde ou utlagarie pronuncie ne ſoit endamage ne mys a perde de ſes biens ou chatieux terres ou tenementz ne de ſa vie.

Purveu toutz foitz qe leſtatut fait en le darrein parlement des proceſſes affairs en tielx caſes devaunt le Roy en ſon bank eſtoiſe en ſa force. Et enoutre meſme noſtre ſegnur le Roy ad grantee par auctoritee ſuſdite qe cheſcun enditez ou appelle en la forme avauntdite de cy enavaunt apres ceo qil ſoit par verdit duement acquitee qil eit briefe & action ſur ſon cas envers cheſcun procurour de tielx enditementz ou appellez et ſoit autiele proceſſe ſur & en meſme le briefe come en briefe de treſpas fait ove force & armes et ſi tiel procurour ſoit atteint en celle partie qe le pleintif recovere ſez damages au treble.

Purveu toutz foitz qe ceſt ordinance ne ſe extende mye as enditementz ou appellez priſez ou apprendrez deinz le countee de Ceſtre.

Purveu auxi qe ſi aſcun des ditz lieges ou aſcun de lour heirs ſoit ou ſerra appelle ou enditez de felonie ou treſon & au temps de meſme le felonie ou treſon ſuppoſez eſt ou feuſt converſaunt deinz le countee dount lenditement ou appelle fait mention qe autielle proceſſe ſoit fait vers tiel endite ou appelle come ad eſte uſe devaunt ces heurs.

the form aforeſaid, or any outlawry be upon that pronounced, as well the *Exigent* ſo awarded, as the outlawry upon that pronounced, and every of them, ſhall be holden for none and void; (2) and that the party upon whom ſuch *Exigent* againſt the form aforeſaid is awarded, or outlawry pronounced, be not endamaged, nor put to loſs of his goods or chattels, lands or tenements, nor of his life.

IV. Provided always, That the ſtatute made in the laſt parliament, of proceſſes to be made in ſuch caſe before the King in his bench, ſtand in his force. (2) And moreover, the ſame our lord the King hath granted by authority aforeſaid, That every perſon indicted or appealed in the form aforeſaid from henceforth, after that he be duly acquit by verdict, that he ſhall have a writ and action upon his caſe, againſt every procurer of ſuch indictments or appeals; and like proceſs ſhall be upon and in the ſame writ, as in a writ of treſpaſs done with force and arms; (3) and if ſuch procurer be attainted in this behalf, that the plaintiff ſhall recover his treble damages.

6 H. 6. c. 1. An action upon the caſe maintainable by the party indicted or appealed againſt the procurer of the ſame. Raſt. 123.

V. Provided always, That this ordinance ſhall not extend to indictments or appeals taken or to be taken within the county of *Cheſter*.

VI. Provided alſo, That if any of the ſaid lieges, or any of their heirs, be or ſhall be appealed or indicted of felony or treaſon, and at the time of the ſame felony or treaſon ſuppoſed, he is and was converſant within the county whereof the indictment or appeal maketh mention,

A man indicted or appealed in the country where he is converſant ſhall be proſecuted as formerly.

mention, the like proceſs be made againſt ſuch perſon ſo indicted or appealed, as hath been uſed always before this time.

CAP. XI.

The citizens of London may take apprentices according to their ancient cuſtoms.

Ex edit. Pulton. The ancient liberty and cuſtom of the citizens of London, touching taking of apprentices.

ITEM, It is ſhewed to our lord the King by the ſaid commons for the mayor and aldermen and commons of the city of *London*, that whereas among other franchiſes, liberties and cuſtoms to them by the ſame our lord the King and his noble progenitors granted and confirmed, it is contained, That the manner and form of taking apprentices within the ſaid city of old time uſed and continued, be kept and obſerved: (2) And where it is alſo there uſed by the cuſtoms of the ſame city of time out of mind continued and approved in the ſame, that every perſon which was not of villain eſtate or condition, but of free eſtate and condition, might put himſelf, his ſon or daughter to be apprentice to any freeman of the ſame city, to learn his craft or myſtery, and that likewiſe every freeman of the ſaid city may take every ſuch perſon, ſon or daughter to be his apprentice, without impeachment, (3) until now of late the ſaid mayor, aldermen and commons, be and have been grievouſly vexed and inquieted by colour of an article of the ſtatute made at *Weſtminſter*, the ſeventh year of the reign of King *Henry* the Fourth, rehearſing by general words, That no man nor woman put their ſon nor daughter to be apprentice within any city or town of the realm of *England*, except that he have land or rent to the value of twenty ſhillings by year, and that by teſtimony under the ſeals of the juſtices of peace, nor that any ſhall receive a prentice to the contrary, upon a grievous penalty limited in the ſaid ſtatute.

The citizens of London may take apprentices according to their old cuſtom, notwithſtanding the ſtatute of 7 H. 4. c. 17. which is Rep. by 11 H. 7. c. 11. 5 Eliz. c. 4.

II. Our lord the king, conſidering the great hindrance which by the ſaid ſtatute might redound to the inhabitants of the ſaid city, if they ſhould be thereby reſtrained of their ſaid liberties and cuſtoms, and how in the beginning of the ſame ſtatute it is contained, That the ſaid city of *London* have and enjoy all her liberties, franchiſes and cuſtoms that be not contrary to the ſaid article, and alſo reſpecting the entire affections, and great kindneſs done and ſhewed to our ſaid lord the King in all his affairs by the citizens of the ſaid city of *London*, and to encourage them the more to ſuch affections and kindneſs hereafter, by the advice and aſſent aforeſaid, hath ordained by the authority of this parliament, That the ſaid ancient manner, form and cuſtom of putting and taking of apprentices, uſed and continued in the ſaid city of *London*, be from henceforth kept and obſerved, as long as it ſhall pleaſe our ſaid lord the King, without being for that impeached, or to incur the pain contained in the ſaid ſtatute.

CAP.

CAP. XII.

No judgment or record ſhall be reverſed for any writ, proceſs, &c. raſed. What defects in records may be amended by the judges, and what not.

ITEM noſtre ſeignur le Roy ad ordine & eſtable par auctorite de ceſt preſent parlement qe pur errour aſſigne ou aſſigner en aſcune recorde proceſſe garaunt dattourne brief original ou judicial panell ou retourne en aſcuns lieux dicelx raſez ou entrelinez ou en aſcun addition ſubtraction ou diminution des paroles lettres titles ou parcelles des lettres troves en aſcun tiel recorde proceſſe garraunt dattourne brief panell ou retourne queux raſures entrelinez addition ſubtraction ou diminution al diſcretion des juges le Roy des courtes & places en queux les ditz recordes ou proceſſe par briefe derrour ou autrement ſount certifiez appiergent ſuſpectz ne ſoit aſcune juggement ne recorde reverſe ne adnulle.

Et qe les juges le Roi des courtes & places en queux aſcun recorde proceſſe parole plee garaunt dattourne brief panell ou retourne pur le temps ſoit eient poair dexaminer tielx recordes proceſſe paroles plees garrauntz dattourne brief panell & retourne par eux & lour clerks & de reformer & amender en affermance des juggementz de tielx recordes & proceſſe tout ceo qe a eux en lour diſcretion ſemble eſtre meſpriſion de clerk en tielx recordes proceſſe parole plee garraunt dattournee brief panell & retourne forſpriſe appelez enditementz de treſon & des felonies & lutlagaries dicelles & la ſubſtance de propres nouns ſurnouns

ITEM our lord the King hath ordained and eſtabliſhed by the authority of this preſent parliament, That for error aſſigned, or to be aſſigned, in any record, proceſs, or warrant of attorney, original writ or judicial, panel or return, in any places of the ſame raſed or interlined, or in any addition, ſubſtraction, or diminution of words, letters, titles, or parcel of letters, found in any ſuch record, proceſs, warrant of attorney, writ, panel, or return, which raſings, interlinings, addition, ſubſtraction, or diminution, at the diſcretion of the King's judges of the courts and places, in which the ſaid records or proceſs by writ of error, or otherwiſe, be certified, do appear ſuſpected, no judgment nor record ſhall be reverſed nor adnulled.

No judgment nor record ſhall be reverſed nor avoided for any writ, return, proceſs, &c. raſed or interlined. Dyer, 105, 180, 225, 232, 260, 342. 5 Co. 45. 8 Co 158, &c. Cro. Jac. 119. Cro. Car. 271.

II. And that the King's judges of the courts and places in which any record, proceſs, word, plea, warrant of attorney, writ, panel, or return, which for the time ſhall be, ſhall have power to examine ſuch records, proceſs, words, pleas, warrants of attorney, writs, panels, or return, by them and their clerks, and to reform and amend (in affirmance of the judgments of ſuch records and proceſſes) all that which to them in their diſcretion ſeemeth to be miſpriſion of the clerks in ſuch record, proceſſes, word, plea, warrant of attorney, writ, panel, and return; (2) except appeals, indictments of treaſon and of felonies,

The judges may reform all defects in records which be miſpriſion of the clerk. 14 Ed. 3. ſtat. 1. c. 6. 9 H. 5. c. 4. 8 H. 6. c. 15. 4 Mod. 6. 247.

What defects in records may not be amended
27 El. c. 5.
1 H. 5. c. 5.

lonies, and the outlawries of the ſame, and the ſubſtance of the proper names, ſurnames, and additions left out in original writs and writs of exigent, according to the ſtatute another time made the firſt year of King *Henry* father to our lord the King that now is, and in other writs containing proclation ; (3) ſo that by ſuch miſpriſion of the clerk no judgment ſhall be reverſed nor annulled. (4) And if any record, proceſs, writ, warrant of attorney, return, or panel be certified defective, otherwiſe than according to the writing which thereof remaineth in the treaſury, courts, or places from whence they be certified, the parties in affirmance of the judgments of ſuch record and proceſs ſhall have advantage to alledgè, that the ſame writing is variant from the ſaid certificate, and that found and certified, that the ſame variance ſhall be by the ſaid judges reformed and amended according to the firſt writing.

Variance alledged between a record and the certificate thereof, ſhall be by the judges amended.

Embezzling of a record, whereby any judgment ſhall be reverſed, is felony.
8 R. 2. c. 4.
8 Co. 160.

III. And moreover it is ordained, That if any record, or parcel of the ſame writ, return, panel, proceſs, or warrant of attorney in the King's courts of chancery, exchequer, the one bench or the other, or in his treaſury, be willingly ſtolen, taken away, withdrawn, or avoided by any clerk, or by other perſon, becauſe whereof any judgment ſhall be reverſed ; that ſuch ſtealer, taker away, withdrawer, or avoider, their procurators, counſellors, and abettors, thereof indicted, and by proceſs thereupon made thereof duly convict by their own confeſſion, or by inqueſt to be taken of lawful men, whereof,

nouns & additions entreleſſez en briefs originalx briefs dexigent ſolonqe leſtatut autre foitz fait lan ſeconde le Roi *Henri* pier noſtre ſeignur le Roi qor eſt & en autres briefs contenantz proclamation iſſint qe par tiel meſpriſion de clerk ne ſoit aſcun juggement reverſe ne adnulle. Et ſi aſcun recorde proceſſe briefe garraunt dattourne retourne ou panell ſoit certifie defective autrement qe accordant a la ſcripture qe ent demoert en les treſorie courtes ou lieux dount ils ſount certifiez eient les parties en affermance des juggementz de tielx recorde & proceſſe avauntage dalegger qe meſme la ſcripture eſt variaunt al dit certificate & ceo trove & certifie ſoit meſme la variaunce par les ditz juges refourme & amende accordant a dit primer ſcripture.

Et outre ceo eſt ordine qe ſi aſcun recorde ou parcell dicel brief retourne panell proceſſe au garaunt dattourne en les courtes le Roi de chauncellarie eſcheqer lun bank ou lautre ou en ſa treſorie ſoit voluntierment emble emporte retreit ou avoide par aſcun clerk ou autre perſone a cauſe de quell aſcun juggement ſoit reverſe qe tiel emblour emportour retreiour & avoidour lour procuratours counſeillours & abbettours ent enditez & par proceſſe ſur ceo fait ent duement convictz par lour propre confeſſion ou par enqueſte apprendre des loialx hommes dount la moite ſoit des hommes daſcun court de meſme les courtes & lautre moite dautres ſoient adjuggez pur felons & encourgent la peine de felonie. Et qe les juges de les ditz courts de lun bank ou lautre eient poair doier & terminer tielx

tielx defautes devaunt eux & dent faire punition come devaunt eſt dit.

Purveu toutz foitz qe ſi aſcun tiel recorde proceſſe briefe garraunt dattourne panell ou retourne ou parcell dicel ſoit a preſent ou en apres ſerra exemplifie en la chauncellarie le Roi ſoubz ſon graunde ſeal & tiel exemplification illeoqes de recorde enrolle ſaunz aſcun raſure en une meſme lieu en meſme lexemplification & lenrollement dicell qe alors pur null errour aſſigne ou aſſigner en les ditz recordes proceſſes briefs garaunt dattourne panell ou retourne en aſcun lettre parole clauſe ou matier dicell variaunt ou contrariaunt a dite exemplification & lenrollement ne ſoit nulle juggement des ditz recordes & proceſſe reverſe ne adnulle.

whereof the one half ſhall be of the men of any court of the ſame courts, and the other half of other, ſhall be judged for felons, and ſhall incur the pain of felony. (2) And that the judges of the ſaid courts of the one bench or of the other, have power to hear and determine ſuch defaults before them, and thereof to make due puniſhment as afore is ſaid.

IV. Provided always, That if any ſuch record, proceſs, writ or warrant of attorney, panel, or return, or parcel of the ſame, be now, or hereafter ſhall be exemplified in the King's chancery under the great ſeal, and ſuch exemplification there of record inrolled without any raſing in the ſame place in the exemplification and the inrollment of the ſame, that another time for any error aſſigned, or to be aſſigned in the ſaid record, proceſs, writ, warrant of attorney, panel, or return, in any letter, word, clauſe, or matter of the ſame varying, or contrary to the ſaid exemplification and the inrollment, there ſhall be no judgment of the ſaid records and proceſs reverſed or adnulled.

A record exemplified under the great ſeal, and inrolled in the chancery, not to be reverſed.

CAP. XIII.

There ſhall not be excepted in the protections of thoſe that ſhall go with the King into France, *aſſiſe of* Novel Diſſeiſin.

ITEM, foraſmuch as our ſovereign lord the King, by the aſſent of his ſage council doth purpoſe with the aid of God, to paſs into his realm of *France*, the ſame our ſaid ſovereign lord, by the advice of the lords ſpiritual and temporal, and alſo of the commons of this preſent parliament, to eſchew the diſheriſons of all perſons, which be or ſhall be retained with our ſaid ſovereign lord the King, to abide in his ſervice, in the parts beyond the ſea, hath ordained and provided, That every protection to be made with the clauſe of *Volumus*, for any of the ſame perſons, there ſhall be contained in the clauſe of exception in the ſame omiſſion of theſe words, *Aſſiſis noue diſſeiſine*. And that all theſe protections be allowable and allowed for them and every of them in all the King's courts and elſewhere, where ſuch protections be put forth for any ſuch perſon, in all pleas of aſſiſes as well of *Novel diſſeiſin* as freſh force without any difficulty. Provided always, That the judgments to be given from henceforth in ſuch aſſiſes arraigned or to be arraigned, be

Ex edit. Raſtal.

Protection.

not prejudicial to any of the ſaid perſons ſo abiding in the King's ſervice beyond the ſea, as afore is ſaid, which have any thing in reverſion or in remainder in ſuch lands or tenements, where-ſuch aſſiſes be or ſhall be arraigned, if they which have in reverſion or in remainder in ſuch lands or teneuents, be not named in the ſame aſſiſes, but that they be againſt them all void: And that this ſtatute ſhall endure for two years next following, if the ſame our ſaid ſovereign lord the King abide ſo long in the parts beyond the ſea. Provided alſo, That all the entries made or to be made after the firſt day of this preſent parliament, be not compriſed in this preſent ordinance. And that none, which hath made or ſhall make any ſuch entries after the ſaid firſt day of this parliament, have any benefit of the ſame ordinance.

Entry.

CAP. XIV.

Riotous perſons committing of felonies, and then fleeing into ſecret places.

a H. 5. ſtat. 1. c. 9.

ITEM, *For that great and grievous complaint was made to King* Henry, *late King of* England, *father to our lord the King that now is, at his parliament holden at* Leiceſter *the ſecond year of his reign, by the commons of his parliament aforeſaid, of divers murders, manſlaughters, robberies, batteries aſſemblies of people in great number in manner of inſurrections, and of divers other rebellions and riots*; (2) *and after ſuch offences the ſaid felons and offenders did flee and withdraw themſelves to divers woods and ſecret places unknown, and elſewhere, to the intent and purpoſe to avoid the execution of the common law, and that they might not be brought to anſwer according to the proceſs of the common law*: (3) *Whereupon the ſaid late King conſidering the aforeſaid complaint, by the advice and aſſent of the lords ſpiritual and temporal in the ſame parliament aſſembled, did ordain and ſtabliſh, at the requeſt of the ſaid commons, That if any after come into the chancery, and make complaint duly, that any ſuch felon or offender as aforeſaid hath fled or withdrawn himſelf to any ſuch place, or elſewhere to the intent afore-*

Riotous perſons commit murders, manſlaughters, robberies, &c. and then flee into ſecret places.

ITEM pur ceo qe graunde & grevouſe compleint fuiſt feit a Roi *Henri* jadis Roi dEngleterre pier noſtre ſeignur le Roi qoreſt a ſon parlement tenuz a Leyceſtr' lan de ſon regne ſeconde par les communes de ſon parlement avauntdit de diverſes murdres homicides, robories, bateries aſſemblees dez gentz en graunde noumbre par maner dinſurrections & de diverſes autres rebellions & riotes & apres tielx meffaites les ditz felouns & meſfaiſours ſenfurent & retraherent as diverſes boys & lieux covertez & diſconuz & aillours a lentent & purpos de voidar lexecution de la commune ley & qils ne ſerroient meſnez a reſpounce ſolonc proces de la ley ſur qoy le dit nadgairs Roi conſiderant la ſuiſdit compleint par aſſent des ſeignurs eſpirituelx & temporelx en meſme le parlement aſſemblez avoit ordinez & eſtabliez a la requeſt des ditz communes qe ſi aſcuny en temps avenir veigne en la chauncellarie & face compleint duement qe aſcun tiel felon ou malefaiſour come avaunt eſt dit ſen eſt fuy & retrahet

rahet a aſcun tiel lieu ou ailours al entent ſuiſdit ſoit ſur tiel compleint une bille ſufficeantment fait pur le Roy et eit le chaunceller dEngleterre pur le temps eſteant apres tiel bille a luy lyvere ſil poet eſtre enformez duement tiel bille contener verite poair de faire ſolonc ſa diſcretion un brief de Capias a la ſuite du Roy direct al viſcont de countee ou countees ou les dites murdres homicides robories bateries & autres mesfaitz ſount ſuppoſez par le dite bille eſtre faitz & perpetrez retournable en la dite chauncellarie a certeine jour. Et ſi les perſones en le dit brief contenuz ſoient priſez par le dit viſcount ou ſoy reddent en meſme la chauncellarie qadonqes ſoient tielx perſones mys en garde ou a maynpriſe ſolonc la diſcretion du chaunceller & outre ſoit maunde denquerer de tielx mesfaitz & ſur ceo ſoit fait come la ley demaunde. Et ſi le viſcounte retourne a jour de Capias retournable qe les perſones en icell compriſez par aſcun de les cauſes ſuiſdites ne purront eſtre par luy priſez ne meſmes les perſones ne ſoi rendent en la dite chancellarie qadonqes face le dit chaunceller faire briefe de proclamation direct a dit viſcounte retournable en bank le Roi a certein jour qil face proclamation en deux countees qe les perſones en le dit brief nomez veignent a dit jour en le ſuiſdit bank pur y reſpoundre a la matier compriz deinz la dite bille ſur peyne deſtre convictez de la matier compriz deinz la dite bille et en cheſcun tiel brief de proclamation ſoit contenuz la ſubſtaunce de la matier compriz deins la dite bille & ſils ne veignent

aforeſaid, upon ſuch complaint a bill ſhall be ſufficiently made for the King. (4) *And the chancellor of* England *for the time being, after ſuch bill to him delivered, if he may be duly informed that ſuch bill containeth truth, ſhall have power by his diſcretion to award a writ of* Capias *at the ſuit of our lord the King, directed to the ſheriff of the county or counties where the ſaid murders, manſlaughters, robberies, batteries, and other offences be ſuppoſed by the ſaid bill to be done and committed, returnable in the ſaid chancery at a certain day;* (5) *and if the perſons ſpecified in the ſaid writ be taken by the ſaid ſheriff, or yield themſelves in the ſame chancery, that then ſuch perſons be put in priſon or to mainpriſe, according to the diſcretion of the chancellor;* (6) *and moreover it ſhall be commanded to inquire of ſuch offences, and upon that ſhall be done as the law requireth.* (7) *And if the ſheriff return at the day of the* Capias *returnable, that the perſons in the ſame compriſed, for any of the ſame cauſes aforeſaid, cannot be taken by him, nor the ſame perſons do yield themſelvesin the ſaid chancery that then the ſaid chancellor ſhall cauſe to be made a writ of proclamation, directed to the ſheriff, returnable in the King's bench at a certain day, that he make proclamation in two counties, that the perſons named in the ſaid writ come at the ſaid day into the aforeſaid bench, there to anſwer to the matter compriſed in the ſaid bill, upon pain to be convict of the matter compriſed within the ſaid bill;* (8) *and in every ſuch writ of proclamation ſhall be contained the ſubſtance of the matter compriſed in the ſaid bill;* (9) *and if they come not at the day of ſuch proclamatio*

Proceſsawarded againſt the offenders.

mation returned, then they ſhall be holden and adjudged for convict, and attainted as afore is ſaid; (10) *and if they come at the proclamation it ſhall be inquired of them, and done in the manner as afore is ſaid.* (11) *Provided, That the ſuggeſtions of ſuch riots be ſignified to the chancellor of* England *by letters ſealed under the ſeals of two juſtices of the peace at the leaſt, and the ſheriff of the county where ſuch riots ſhall be, before that ſuch writ of* Capias *be granted;* (12) *in which writ of* Capias *the matter which is compriſed within the ſame bill ſhall be as well expreſſed, as in the writ of proclamation thereof to be made.* (13) *And if ſuch a caſe happen in the county palatine of* Lancaſter, *or elſewhere in franchiſes where there is a chancellor and a ſeal, that then the ſaid chancellor of* England *cauſe to be written or ſent by the King's writ to the chancellor of ſuch county or franchiſe, all the ſuggeſtion in the ſaid bill compriſed, commanding him to make ſuch execution as in the ſaid article is compriſed;* (14) *ſo always that the King's writ out of the chancery of* England *ſhall not run in ſuch county or franchiſe otherwiſe than hath been uſed in time paſſed, and that the ſaid ordinance ſhall ſtand in his force till the end of the next parliament.* (15) *Our lord the King conſidering that divers other murders, manſlaughters, robberies, batteries, aſſemblies of people in great number in manner of inſurrections, and divers other rebellions and riots, have been made in divers counties of the realm ſince the making of the ſaid ſtatute, not puniſhed, becauſe that the ſaid ſtatute held no force but until the end of the parliament then next following;* hath ordained and ſtabliſhed

veignent a jour de tiel proclamation retourne ſoient adonqes tenuz & adjuggez pur convictez & atteintez come deſuis eſt dit. Et ſils veignent a la proclamation ſoit de eux enquis & fait en la maner come deſuis eſt dit. Purveu qe les ſuggeſtions de tielx riotes ſoient teſmoignez a le chaunceller dEngleterre par lettres enſealez deſoubz les ſealx de deux juſtices de pees au meins & le viſcounte del countee ou tielx riotes ſerrount devaunt ceo qe tiel brief de Capias ſoit graunte en quell brief de Capias ſoit ſibien la matier expreſſe quele eſt compris deins meſme la bille come en le brief de proclamation ent affaire. Et ſi tiel cas aveigne en le counte palatyn de Lancaſtr' ou aillours en fraunchiſe la ou il y ad chaunceller & ſeal qadonqes le dit chaunceller dEngleterre face eſcriver ou envoier par brief du Roi a le chaunceller de tiel countee ou fraunchiſe tout la ſuggeſtion en la dite bille compriz commaundant a luy de faire tiel execution come en le dit article eſt compriz iſſint tout foitz qe brief du Roi hors de la chauncellar' dEngleterre ne courge en tiel countee ou fraunchiſe autrement qe nad eſtee uſee en temps paſſe. Et qe la dite ordinaunce eſtoiſeroit en ſa force tanqe al fin del proſchein parlement. Noſtre ſeignur le Roi conſiderant qe diverſes murdres homicides robories bateries aſſemblees des gentz en graunde noumbre par maner de inſurrections & diverſes autres rebellions & riotes ount eſtee faitz en diverſes parties du roialme puis la faiſaunce de dit eſtatuit nient puniſez a cauſe qe le dit eſtatuit ne tenoit force

forſqe

forſqe a la fin del parlement adonqes proſchen enſuant ad ordine & eſtablie par auctorite de ceſt preſent parlement qe la dit jadis eſtatuit ore ſoit tenuz & fermement gardez pur eſtatuit en tout temps avenir ſibien de murdres homicides robories bateries aſſemblees des gentz en graunde noumbre par maner de inſurrections & de divers autres rebellions & riotes faitz & perpetrez devaunt le commencement de ceſt preſent parlement come en temps avenir.

Purveu toutz foitz qe teſmoigne ſoit par deux juſtices de peas des countees ou tielx riotes ſerront ſuppoſez qe commune fame & voice court en meſmes les countees de icelx riotes devaunt ceo qe le brief de Capias ſerra agarde. Purveu auxi qe ſi aſcun tiel caſe aveigne en le dit countee palatyn de Lancaſtre ou aillours en lieu enfraunchiſe la ou y ad chaunceller & ſeal qe adonqes le dit chaunceller de tiel countee ou lieu enfraunchiſe pur le temps eſteant apres compleint a luy duement fait & teſmoigne par juſtice ou lieutenant de juſtice & viſcount de tiel countee palatyn ou lieu enfraunchiſe pur le temps eſteant en la forme ſuiſdit eit ſemblable poair de agarder Capias & briefs de proclamation ayauntditz come le dit chaunceller dEngleterre pur le temps eſteant ad.

bliſhed, by the authority of this preſent parliament, That the ſaid ſtatute ſhall now be kept, and firmly holden for a ſtatute for ever, as well of murders, manſlaughters, robberies, batteries, aſſemblies of people in great number in manner of inſurrections, and divers other rebellions and riots made and committed before the beginning of this preſent parliament, as in time to come.

The ſtatute of 2 H. 5. ſtat. 1. c. 9. of thoſe that do commit murder, &c. and after flee into woods, made perpetual.

II. Provided always, That it be teſtified by two juſtices of the peace of the counties where ſuch riots ſhall be ſuppoſed, that the common fame and voice runneth in the ſame counties of the ſame riots, before that the writ of *Capias* ſhall be awarded. (2) Provided alſo, That if any ſuch caſe happen in the ſaid county palatine of *Lancaſter*, or elſewhere in a place enfranchiſed, where there is a chancéllor and a ſeal, that then the ſaid chancellor of ſuch county or place enfranchiſed, for the time being, after complaint to him duly made and teſtified by a juſtice, or the lieutenant of a juſtice, and ſheriff of ſuch county palatine or place enfranchiſed for the time being, in the form aforeſaid, ſhall have like power to award a *Capias* and a writ of proclamation aforeſaid, as the ſaid chancellor of *England* hath.

A proviſion where any of the ſaid offences be committed in a plac- enfranchiſed.

CAP. XV.

The juſtices may in certain caſes amend defaults in records.

ITEM ordeigne eſt & eſtablie qe les juſtices du Roy devaunt queux aſcune meſpriſion ou defaute ſoit ou ſerra trove ſoit il en aſcun recordes & proceſſes qore ſount ou ſerrount pendantz devaunt eux ſibien par

ITEM, it is ordained and eſtabliſhed, That the King's juſtices, before whom any miſpriſion or default is or ſhall be found, be it in any records and proceſſes which now be, or ſhall be, depending before them, as well

8 Co. 162. The juſtices may in certain caſes amend defaults in records and proceſſes.

well by way of error as otherwiſe, or in the returns of the ſame, made or to be made by ſheriffs, coroners, bailiffs of franchiſes, or any other, by miſpriſion of the clerks of any of the ſaid courts of the King, or by miſpriſion of the ſheriffs, under-ſheriffs, coroners, their clerks, or other officers, clerks, or other miniſters whatſoever, in writing one letter or one ſyllable too much or too little, ſhall have power to amend ſuch defaults and miſpriſions according to their diſcretion, and by examination thereof by the ſaid juſtices to be taken where they ſhall think needful. (2) Provided, That this ſtatute do not extend to records and proceſſes in the parts of *Wales*, (3) nor to the proceſſes and records of outlawries of felonies, and treaſons and the dependences thereof.

par voie derrour come autrement ou en lez retournez diceiles faitz ou affairez par viſcountz coroners baillifs des fraunchiſes ou autres qeconqes par meſpriſion des clerks daſcuns des ditz courtz du Roi ou par meſpriſion dez viſcountz ſoutzviſcountz coroners lour clercs ou autres officers clercs ou miniſtres qeconqes en eſcrivant un lettre ou un ſilable trop ou trop poie aient poiar damender tielx defautes & meſpriſions ſolonc lour diſcretion & par examination ent par les ditz juſtices aprendre ou lour ſemblera boſoignable. Purveu qe ceſt eſtatut ne ſe extende as recordes & proceſſes es parties de Gales ne as recordes & proceſſes dutlagaries des felonies & treſons & les dependantz dicelles.

Proceſſes in Wales, and outlawries.
14 Ed. 3. ſtat. 1. c. 6.
9 H. 5. c. 4.
4 H. 6. c. 3.
8 H. 6. c. 12.

CAP. XVI.

By what perſons eſcheators ſhall find an office, and in what time he ſhall certify it. A patent made of lands ſeiſed upon an inqueſt.

An eſcheator, or commiſſioner, ſhall take no inqueſt, but by ſuch perſons as be returned by the ſheriff. Kaſt. pl. 315.

ITEM, *to eſchew the dolours, grievances, and diſheriſons, which daily do happen to many of the King's liege people by the eſcheators, for that they take inqueſts, to inquire before them, as well by virtue of the King's writs, as of their offices, favourably and not duly, by people not impanelled nor returned to them by the ſheriffs of the counties, and more often for their private gain, and for the diſheriſon of the King's liege people, than for the profit of the ſame our lord the King*, (2) *and alſo for that the lands and tenements of many of the King's liege people be ſeiſed into the King's hands upon ſuch inqueſts, or let to ferm by the chancellor or treaſurer, before ſuch inqueſts*

ITEM pur eſchuer lez dolours grevancez & diſheretiſons qi de jour en autre aveignent as pluſours lieges noſtre ſeignur le Roy par les eſchetours de ceo qils preignent enqueſtes denquerrer devaunt eux ſibien par vertue des briefs noſtre ſeignur le Roy come de lour office favourablement & noun duement par gentz nient empanellez ne retournez a eux par les viſcountz des countes & pluiſtoſt pur lour propre gayne & pur diſheretiſon des lieges noſtre ſeignur le Roy qe pur profit meſme noſtre ſeignur le Roy et auxi de ceo qe les terres & tenementz des pluſours lieges noſtre ſeignur le Roy ſount ſeiſez

ſez es mains noſtre ſeignur le Roy ſur tielx enqueſtes & autres & leſſez par le chaunceller ou treſorer a ferme devaunt ceo qe meſmes les enqueſtes ſoient retournez en la chauncellarie noſtre ſeignur le Roy eſt ordine par auctorite de ceſt preſent parlement qe nul eſchetour ne commiſſioner preigne aſcunement aſcun inqueſt denquerrer ſinon des gentz retournez & empanellez par le viſcount en le counte deins quell il eſt eſchetour ou commiſſioner. Et ſi aſcun eſchetour ou commiſſioner preigne enqueſte des gentz qi ne ſount mye enpanellez ne retournez par le viſcount come deſuis eſt dit & ent par examination ou autrement al ſuite de partie qe pur luy meſmes ou pur le Roy ou autre perſone qeconqe voille purſuer ſoit convict duement pur cheſcun enqueſt enſy priz qe encourge la peine & forfaiture de xl. li. a paiers ceſtaſſaver lun moite au Roi & lautre moite au partie a qi ſuyte il ſerra convict. Et qe nulles terres ne tenementz ſeiſez es mayns noſtre ſeignur le Roy ſur enqueſtez priſez devaunt les eſchetours ou commiſſioners ne ſoient aſcunement leſſez ne grauntez a ferme par le chaunceller ou treſorer dEngleterre ou autre officer noſtre ſeignur le Roi qiconqe tanqe qe meſmes les enqueſtes & verditz ſoient retournez pleinement en la chauncellarie ou en leſchequer mes demoergent toutz tielx terres & tenementz entierment & continualment es mains noſtre ſeignur le Roy tanqe les ditz enqueſtes & verditz ſoient retournez & par un mois apres meſme le retourne ſi iſſint ne ſoit qe celuy ou ceux qi ſente ou

inqueſts be returned in the chancery; (3) our lord the King hath ordained, by the authority of this preſent parliament, that no eſcheator or commiſſioner take in any wiſe any inqueſt to inquire, but of people returned and impanelled by the ſheriffs in the county within which he is eſcheator or commiſſioner. (4) And if any eſcheator or commiſſioner take inqueſt of people which be not impanelled nor returned by the ſheriff, as is afore ſaid, and thereof by examination, or otherwiſe, at the ſuit of the party, which for himſelf or for the King, or any other perſon that will ſue, be duly convict, for every inqueſt ſo taken that he incur the pain and forfeiture of xl. li. to be paid, that is to ſay, the one half to the King, and the other half to the party grieved, at whoſe ſuit he ſhall be convict (5) And that no lands nor tenements ſeiſed into the hand of our lord the King, upon ſuch inqueſts taken before the eſcheators or commiſſioners, be not in any wiſe let nor granted to ferm by the chancellor or treaſurer of *England*, or any other the King's officer, until the ſame inqueſts and verdicts be fully returned in the chancery, or in the exchequer, (6) but all ſuch lands and tenements ſhall intirely and continually remain in the hands of our lord the King, until the ſaid inqueſts and verdicts be returned, and by a month after the ſame return, if it be not ſo that he or they which feel them grieved by the ſame inqueſts, or putting out of their lands and tenements, come into the chancery, and profer themſelves to traverſe the ſaid inqueſts, and

When lands ſeiſed into the King's hands upon an inqueſt of office, ſhall be let to ferm. 18 H. 6. c.6.

The lands ſhall be let to ferm to him that tendereth a traverſe to the office. 36 Ed. 3. c.13 1 H. 8. c.10. 23 H. 8. c.17.

and then offer to take the ſame lands or tenements to ferm; (7) and if they ſo do, that then the ſame lands or tenements be committed to them, if they ſhew good evidence, proving their traverſe to be true, after the form of the ſtatute made the thirty ſixth year of King *Edward* the Third after the conqueſt, to hold until the iſſue taken upon the ſame traverſe be found and diſcuſſed for the King, or for the party, finding ſufficient ſurety to purſue the ſaid traverſe with effect, and to render and pay to our lord the King the yearly value of the lands whereof the traverſe ſhall be ſo taken, if it be diſcuſſed for the King. (8) And if any letters patents of any of the lands or tenements be made to the contrary to any other perſon, or let to ferm within the ſaid month, after the ſaid month of return, they ſhall be holden for none. (9) And that the eſcheators or commiſſioners, upon pain of the forfeiture of xx. li. to be paid, that is to ſay, the one half to the King, and the other half to the party at whoſe ſuit he ſhall be convict, return the inqueſt before them taken into the chancery of our lord the King, or into the exchequer, within a month next after the taking of the ſame. And every man which will ſue for the King ſhall have the ſuit in this behalf. (10) Provided always, That this ſtatute begin and take effect and force in the feaſt of *Eaſter* next coming, and not before, to endure for ever.

36 Ed. 3. c. 13.

Eſcheators and commiſſioners ſhall return an office found before them. 18 H. 6. c. 7.

1 H. 8. c. 8.

ou ſentent eux grevez par meſmes les enqueſtes ou ouſtez de lours terres ou tenementz veignent en la chauncellarie & ſoy proferont de traverſer lez ditz enqueſtes & ſoy offeront de prendre meſmes les terres & tenementz a ferme. Et qe ſi iſſint fount qe adonqes meſmes lez terres & tenementz ſoient commiz a eux ſils monſtrent bones evidencez provantz lour travers eſtre verrois ſolonc la fourme de leſtatut fait lan xxxje le Roy E. tiers puis le conqueſt a tenir tanqe liſſue ſur meſme le travers pris ſoit & diſcuſſu pur le Roy ou pur le partie trovant ſufficiant ſuerte de ſuir le dit travers ove effect & de rendre & paier a noſtre ſeignur le Roy le annuel value des tenementz dont le travers enſi ſerra priz ſil ſoit diſcuſſe pur le Roy. Et ſi aſcuns lettres patentz des aſcuns terres ou tenementz ſoient faitz au contrarie a aſcun autre perſone ou leſſez a ferme deins le dit moys apres le dit mois du retourne ſoient voidez & tenuz pur null. Et qe les eſchetours & commiſſioners ſur peine de forfaiture de xx. li. a paiers ceſtaſſavoir lun moite al Roi & lautre moite al partie a qi ſuyt il ſerra convict retournent en la chauncellarie noſtre ſeignur le Roy ou en leſchequer lez enqueſtes devaunt eux priſez deins un moys proſcheyn apres la priſe dicelles. Et eyt cheſcun qi voet ſuyr pur le Roy la ſuyte en cell partie. Purveu toutz foitz qe ceſt eſtatut commence & preigne effect & force en la feſt de Paſqe proſchein avenir a durer perpetuelment & nemye devaunt.

CAP.

CAP. XVII.

Wools, fells, &c. *ſhipped out of* England, Wales, *or* Ireland, *for any place but* Calais, *ſhall be forfeited by the double, except by merchants of* Genoa, Venice, *&c.*

Ex edit Raſt. Staple of Calais.

ITEM, whereas in the time of the King's noble progenitors, for the proſperity, profit, and wealth of the realm of *England*, and for the ſuſtentation of the town of *Calais*, it hath been ordained by divers ſtatutes and ordinances, That the ſtaple ſhould be wholly at the ſaid town of *Calais*, and in none other place beyond the ſea, that is to ſay, That all the wools, woolfels, leather, lead, and tin, and all other merchandiſes paſſing out of the ſaid realm, and out of the lands of *Wales* and *Ireland*, ought wholly to paſs and repair to the ſaid ſtaple, and to none other place, upon pain of the forfeiture of the ſame, except ſuch merchandiſes, which in the ſaid ſtatutes and ordinances, be expreſſed and exceped, as in the ſame is more fully contained, the which ſtatutes and ordinances, the ij. year of our ſovereign lord the King, that now is, were approved, affirmed, and ordained duly to be executed. Nevertheleſs as well under colour of exceptions in the ſaid ſtatutes, and ordinances contained, as by colour of licences granted by our ſovereign lord the King to divers perſons, a great quantity of wools, woolfels, leather, lead and tin, and many other merchandiſes have been continually from time to time, and yet be carried and and conveyed out of the realm, and of the ſaid lands of *Wales* and *Ireland*, into *Flanders*, *Holland*, *Zealand*, *Brabant*, and other parts, not reſorting to the ſaid ſtaple, as they ought to do, wherefore our ſovereign lord the King is defrauded of the cuſtoms and ſubſidies, which ought to amount to notable ſums to his increaſe, if he thereof were duly anſwered and content: And moreover the King's mint at *Calais* is like to be void, deſolate, and deſtroyed, and the commodities alſo of the merchandiſes of the ſaid realm, for the ſaid cauſes, within ſhort time to be greatly hindered, if remedy be not provided in this behalf: our ſovereign lord the King conſidering the premiſſes, and willing in this caſe to provide a a remedy, of the advice and aſſent aforeſaid, by the authority of the ſaid parliament, hath ordained, That no perſon ſhip nor do to be ſhiped from henceforth no manner wools, woolfels, leather, lead, and tin, whole nor ſhotten, nor the ſame carry nor convey out of any parts of the ſaid realm, nor out of the lands of *Wales* nor *Ireland*, to none other parts beyond the ſea, but only to the ſaid ſtaple of *Calais*, upon pain of forfeiture of the double value of the merchandiſe ſo carried or conveyed to any other parts than to the ſaid ſtaple of *Calais*, and alſo upon pain of impriſonment of his body for the ſpace of two years, without bail or mainpriſe. And he which can ſpy any perſon from henceforth, which offending or doing in any wiſe contrary to this ordinance, and the ſame offence do preſent to the treaſurer of *England* for the time being, and the treſpaſſor thereof duly

2 H. 6. c. 4.

convict,

convict, or if such trespassor confess before the treasurer and the barons of the exchequer such trespasses by him done, That then he shall be convict by his own confession. And the presenter shall have for his labour the third part of the forfeiture of the merchandises carried or conveyed against this ordinance. Saving always that the merchants of *Genoa*, *Venice*, *Tuscany*, *Lombardy*, *Florence*, and *Catalonia*, may ship wools, woolfels, leather, lead, and tin in their ships, gallies, carraks, and other vessels, and to bring the same into their country towards the *West*, in manner accustomed before this time. Saving also to the burgesses of the Berwick. town of *Berwick* upon *Tweed*, the privileges and benefits to them before this time granted, as in divers statutes thereof made is fully contained, notwithstanding this ordinance.

CAP. XVIII.

Certain ordinances made for the prices of merchandises, and maintenance of the town and mint at Calais.

ITEM, our sovereign lord the King, considering certain articles ensuing, to be conceived and desired, as well for the profit and wealth of him and his realm universal, as for the good Staple of Calais. politick governance and supportation of the staple of *Calais*, by advice and assent of the lords spiritual and temporal, and also of the commons being in this present parliament, by authority of the same, hath granted the same articles to be kept and observed, to begin at the feast of the Purification of our Lady, next after the beginning of the said parliament, until the feast of the Annunciation of our Lady then next following, and from the same feast of the Annunciation to endure till the end of three years then next following after the form following, that is to say:

First, That the ordinance and appointment of late made to the said staple of *Calais*, upon wools, woolfels, and tin, be surely kept and observed in all these five points following, that is to say, That the price of the said wools, woolfels, and tin, be not abated, but augmented and put to greater increase and advantage.

Item, That the whole payment be made in hand for the said wools, woolfels, and tin, in gold and silver without subtilty or collusion.

Bullion. Item, That the bullion be brought to the mint to *Calais*, that is to say, for every sarpler of wools, whereof the weight of the sack is sold for xij. marks, six pounds, x. marks, v.li, viij. marks. iv.li. And the woolfels after the rate, to be forged in the King's coin.

Item, That every man that shall sell or do to be sold, any wools or woolfels at the staple of *Calais*, shall make a lawful and equal partition of the money of the same, with them

which have the wools or woolfels of the ſame country from whence the wools or woolfels be, and with whom he is joined and aſſociate to make partition, without fraud or malengine.

And alſo that at all times the merchants ſellers, ſhall make acquittances to the merchants buyers, to be ſealed under the ſeal to that ordained within the ſaid ſtaple, to the intent that no merchant ſeller ſhall from henceforth lend any manner of money to any merchant by him received of the wools or fells, but that the ſame money may be brought within the realm without ſubtilty or fraud. 11 H. 6. c. 13.

CAP. XIX.

If a mariner ſhall receive into his ſhip any merchandiſes, or carry them to any other place than to the ſtaple at Calais, *the goods and ſhip ſhall be forfeited.*

ITEM, for as much as oftentimes divers mariners ſtrangers of divers parts of *Flanders*, *Holland*, *Zealand*, and *Brabant*, in divers ports and creeks of the realm, take their ſhips and veſſels, wools, woolfels, and other merchandiſes of the ſtaple, which be truſſed in tuns, pipes, barrels, ſacks, fardels and otherwiſe, and and the ſame privily do put and conceal in their veſſels underneath wood, wheat, oats, rye, and in other manner, and ſo carry them into divers parts beyond the ſea, to the King's great prejudice in diminiſhing of his cuſtoms and ſubſidies, and to the damage of all the liege people of his realm: our ſovereign lord the King willing to eſchew the ſaid prejudices, and againſt ſuch ſubtilties to provide remedy, hath ordained by the authority aforeſaid, That no mariner ſtranger nor other mariner, that is likewiſe owner and maſter of one ſhip or veſſel, ſhall take nor receive within *England*, *Wales*, nor *Ireland*, in his ſhip or veſſel any manner of wools, woolfels, nor other merchandiſes of the ſtaple, nor carry the ſame out of the realm to any parts beyond the ſea, but only to the ſtaple of *Calais*, except ſuch which by the ordinance made, ſhall paſs over the ſtreights of *Marrok*, and that upon pain of forfeiture to the King of ſuch ſhips and goods ſo found defective, as of the goods of the ſaid mariners, being in the ſame ſhips or veſſels. And that the mayor of the ſtaple for the time being, ſhall have power and authority to make due ſearch in this part. And the ſhips goods, and mariners, if they be thereof found defective, for to be preſented, and delivered to the King's council in *England*, by juſt relation thereof to be made by the ſaid mayor or his deputy, he having for his reward the third part of the forfeitures by him preſented and taken in the manner aforeſaid.

Staple of Calais.

Mariner.

Mayor of the ſtaple.

CAP.

CAP. XX.

No merchants of Calais *ſhall buy beyond the ſea any merchandiſe of the ſtaple.*

ITEM, for as much as the King is informed, That certain perſons continually, inhabiting in the town of *Calais*, with merchants aliens of their affinity and conſent, for their ſingular lucre, do imagine by ſubtil means to diminiſh the price of the commodities of this realm, which heretofore have been and yet be greatly uſed, in ſo much that when the merchants aliens ought to have repaired to the ſaid town to buy wools and woolfels, they have been returned and withdrawn by the ſaid inhabitants, ſo that the poor men have been let to ſell their goods, and for great miſchief they muſt of neceſſity ſell their goods to the ſaid inhabitants of *Calais*, which will not buy the ſame but greatly within their price, to the great hurt and hinderance of the ſellers, and abatement of the price of the ſaid commodities: the ſame our ſovereign lord the King, willing thereupon to provide remedy, for his profit and the avail of his realm, hath ordained by the ſaid authority, That from henceforth no merchant continually inhabiting within the ſaid town of *Calais*, ſhall be ſuffered to buy beyond the ſea, any manner of wools, woolfels, leather, lead, nor tin, nor other merchandiſe pertaining to the ſtaple, upon pain of forfeiture of the ſame, as often as it may be proved.

Dwellers in Calais.

CAP. XXI.

A repeal of all licences granted to men of Newcaſtle *and* Berwick, *to carry merchandiſes to other places than to* Calais. *The penalty for carrying of merchandiſes of the ſtaple into* Scotland.

ITEM, for as much as a great noiſe runneth amongſt men of *Newcaſtle* and *Berwick*, That if they ſhould bring their wools to the ſtaple of *Calais*, they ſhould be undone and deſtroyed, where the contrary is truth, and may be proved, as the King is informed (for the mayor of the ſtaple and his companions, will give to the ſaid men of *Newcaſtle* and *Berwick*, for the quantity of their wools and woolfels, likewiſe as the King one year with another hath been anſwered with the cuſtom and ſubſidy of the ſame, and as much as they have been ſold for in *Flanders*, or in other places where they do repair, to be paid at reaſonable terms in gold and ſilver to be brought into this realm, where not one penny cometh by them now:) the ſame our ſovereign lord the King, conſidering that by the licences of the ſaid men of *Newcaſtle* and *Berwick*, great hindrance cometh to him of his cuſtoms and ſubſidies, and abatement of the price of the commodity of the realm, hath ordained by the authority aforeſaid, that their ſaid licences ſhall be repealed. And if any of evil will ſell or carry any wools or woolfels, leather, lead, or other merchandiſe of the ſtaple in defraud of the King, or hin-

New-caſtle. Berwick.

drance

drance of the commodity of his realm, into *Scotland* that he shall forfeit the same goods, with the double value, and his body in prison by the space of a year. Scotland.

CAP. XXII.

What is requisite to be done in winding and packing of wool. None shall force, clack, or beard any wool.

ITEM pur ceo qe graunt arerisement aveigne au Roy de sez custumes & subsidies par ceux qi clakkent & forcent les bones lains du roialme pur eux carier dehors dicell en estraunges paiis ordinez est qe null estraunger ne face forcer clakker ne barder null maner des leins pur carier hors du roialme sur peine de forfaiture de mesmes lez lains ovesqe le double value dicell & dempriſonement de son corps. Et qe null pakkur dez lains ne face deins le dit roialme forsqe bone & due pakkure ne qe null face null inwynde deins la tesone des lains a lenrollement de ses lains ne mette en icell lokkes pelwoll tarre peers sablon terre ne herbe ne null autre ordeur & qiqe le face eit la partie qe se sente greve envers luy sa action a la commune ley de tresPas & deceit.

ITEM, *Forasmuch as great hindrance cometh to the King in his customs and subsidies by them that do clack and force the good wools of the realm, to carry them out of the same into strange countries*; (2) it is ordained, That no stranger shall cause to be forced, clacked, nor bearded, any manner of wools, to carry them out of the realm, upon pain of forfeiture of the same wools, with the double value of the same, and of imprisonment of his body. (3) And that no wool-packer shall make within the realm, but good and due packing; (4) and that no man make any inwinding within the fleece of wools at the rolling up of his wools, nor put in the same locks, pelt-wool, tar, stones, sand, earth, grass, nor any dirt; (5) and if any do, he that feeleth him grieved shall have his action at the common law of trespass and deceit. What is requisite to be done in winding and packing of wool. 3 Ed. 4. c. 1. 23 H. 8. c. 17.

CAP. XXIII.

No thrums of woolen yarn shall be carried out of the realm.

ITEM pur taunt qe les textours deins le roialme sount & devaunt ces heours ount estez accustumez quant ils ount overez un drap bien pres le fin de trencher a part a lour singuler avantage les files qi demuront nient texez & les apellent thrommes a graunde deceit de ceux as queux les dit draps sount & mesmes les thrommes vendount a tielx persones qe icelles amesnent en Flaundres & autres estraunges paiis come

ITEM, *because the weavers within this realm be and heretofore have been accustomed, that when they wrought a cloth near the end, to cut away for their private profit the thread which is left unwoven, and call the same thrums, and to the great deceit of the owners of the same cloths, they sell the same thrums to such persons which carry them into* Flanders *and other places, though the King have thereof no profit of custom nor subsidy*: (2) *for*

for under the colour of ſuch thrums divers perſons, as well ſtrangers as denizens, do ingroſs and gather in divers parts of the ſaid realm, great quantity of woolen thread, called woolen yarn, and the ſame do carry to the ſaid ſtrange parts, and thereof make good cloths; (3) *ſo that under this ſubtil colour the King is yearly greatly defrauded of his cuſtoms and ſubſidies, which ought to riſe to him, if they were fully wrought within the ſaid realm, or elſe if they were not wrought, but in wools brought to the ſtaple of* Calais: (4) wherefore it is ordained, That no man ſhall carry or convey out of the ſaid realm, any manner of thrums, or woolen yarn under colour of thrums, upon pain to forfeit the double value of the ſame.

bone merchandiſe tut ſoit qe noſtre ſeignur le Roy ent nad null profit de cuſtume ne ſubſidee par deſoubz le colour de tielx thrommes diverſes perſones ſibien eſtraungiers come deinſzeins engrocent & coillent es diverſes parties du dit roialme graunde quantite des files des fines lains appellez wollenyarn & icelles ameſnent es dites eſtraunges parties & ent facent bones draps ency qe deſoubz ceſt ſubtile colour noſtre ſeignur le Roy eſt cheſcun an graundement defraudez de ſez cuſtumes & ſubſidees qe a luy devoient ſourder ſils feuſſent pleinement oeverez deinz le dit roialme ou autrement ſils ne feurunt oeverez mes en lains ameſnez a leſtaple de Caleis. pur quoy ordinez eſt qe null homme ne carie ne ameſne hors du roialme null maner des thrommes ne files des lains appellez wollenyarn deſoubz colour de thrommes ſur pain de forfaiture de la double value dicell.

Neither thrums nor woolen yarn ſhall be carried forth of the realm.

23 H. 6. c. 3.

CAP. XXIV.

None ſhall pay merchants aliens in gold, but in ſilver. Merchandiſe ſhall not be ſold to an alien but for preſent payment.

ITEM, *For that merchants aliens of late have taken in cuſtom, that when they ſell any of their merchandiſes to any perſon within the realm, they will not demand nor receive for any payment for the ſame any manner of ſilver, as they were wont, but only gold nobles, half nobles, and farthings, which from time to time they do carry out of the realm into other ſtrange countries, where they be changed to their increaſe, and forged into other coins, ſo that they gain in the allay of every noble twenty pence, againſt the tenour of the ſtatutes thereof made, and to the great prejudice of this whole realm.*

ITEM pur ceo qe les merchantz aliens jatarde ount priſe en cuſtume qe quant ils vendont aſcuns de lour merchandiſes a aſcun perſone deins le roialme ils ne voillent demaunder ne receiver pur aſcun paiement pur icell null maner dargent ſicome ils ſoloient faire mes ſoulment or nobles dimi nobles & ferlyngs les queux de temps en temps ils ameſnent hors du roialme en autres eſtraunges paiis lou ils ſount chaungiez a lour encrece & forgez en autres coignes enſy qils gaignent en lallaie de cheſcun noble xx d. encontre le tenure des eſtatutz ent faitz a graunde

II. Our pre-

prejudice du Roi & de ſon roialme univerſell.

Noſtre dit ſeignur le Roi en ceo cas voillant purvoier de remedie ad ordeine qe null marchant alien ne ferra arter ne lier aſcun des lieges du Roi par pact covenant ne liege de luy faire paiement en or pur nulle manere de dette qi a luy poet eſtre due ne refuſe de receiver paiment en argent pur aſcun maner du tiel duete ou dette ſur peyn de double value dicell. Et auxi pur eſchuer le graunde perde qe divers perſones de ceſt roialme ount euz & ſont ſemblablez davoir par lour appreſtz faitz de lour merchandiſes as merchantz aliens quount enfuez ovec icelles & de jour en autre priegnent ſanctuaries ordinez eſt qe null Englois ne vende deinz ceſt roialme ne face vendre de ceſt jour en avaunt a null marchant alien null maner de marchandiſes mes ſoulement pur preſt paiement en monoye ou autrement en merchandiſes pur merchandiſes pur eſtre paiez & content en main ſur peyn de forfaiture dicell.

II. Our lord the King willing in this caſe to provide remedy, hath ordained, That no merchant alien ſhall conſtrain nor bind any of the King's liege people by promiſe, covenant or bond, to make him payment in gold for any manner of debt which to him may be due, nor refuſe to receive payment in ſilver for any manner of ſuch duty or debt, upon the pain of the double value of the ſame. (2) And alſo to eſchew the great loſſes which divers perſons of this realm of *England* have had, and alſo be likely to have, for their loans made of their merchandiſes to merchants aliens, which have fled with the ſame, and daily take ſanctuaries, it is ordained, that no *Engliſhman* ſhall ſell within this realm, or cauſe to be ſold hereafter, to any merchant alien, any manner of merchandiſes, but only for ready payment in hand, or elſe in merchandiſes for merchandiſes, to be paid and contented in hand, upon pain of forfeiture of the ſame.

No man ſhall be compelled to pay gold to a merchant alien. 4 H. 7. c. 13.

No Engliſhman ſhall ſell his goods to a merchant alien, but for preſent payment, or other merchandiſe. 9 H. 6. c. 2.

CAP. XXV.

The mayor of the ſtaple of Calais *ſhall continue two years in his office.*

ITEM, for certain great and notable cauſes concerning the honour of our ſovereign lord the King, and the common weal of all his realm: it is ordained by authority of this parliament, That the mayor of the ſtaple of *Calais*, which now is, ſhall ſtand in his office of mayor of the ſame ſtaple, till the feaſt of our Lady next enſuing, and from the ſaid feaſt till the end of two years then next following fully be fulfilled, notwithſtanding any ſtatute or ordinance made to the contrary.

Ex edit. Raſt.

CAP. XXVI.

The penalty if in any action the defendant make default to put the lords, mayors, &c. from their juriſdiction.

ITEM ordinez eſt par auctorite deſuſdite qen toutz briefs daſſiſes & dactions perſonelx

ITEM, it is ordained by the authority aforeſaid, That in all writs of aſſiſes, and of actions

The penalty if in aſſiſe or perſonal action, the de-

fendant make default to put the lords, mayors, &c. from their juriſdiction.

actions perſonal, ſued or to be ſued before the King in his bench, juſtices of the common place, or any other the King's juſtices for the time being, of any lands or tenements, or of any thing being and riſing within any ſeignory, franchiſe, or ancient demeſne, whereof the cogniſance or juriſdiction ought to pertain to any lords, mayors, bailiffs, citizens, burgeſſes, or commonalty of ſuch ſeignories, franchiſes, or ancient demeſne, that then if any defendant in any ſuch aſſiſe, or other actions perſonal, make any default, to put out, exclude, and expel the aforeſaid lords, mayors, bailiffs, citizens, burgeſſes, or commonalty of their cogniſance or franchiſe, that the juſtices, at the requeſt of the ſaid lords, mayors, bailiffs, citizens, burgeſſes, or commonalty, ſhall make enquiry by the aſſiſe where ſuch exception is alledged in aſſiſes, and in actions perſonals by inqueſts to be taken before the juſtices, if ſuch defaults ſhall be made as afore is ſaid, or not: (2) in which aſſiſe and inqueſt ſo to be taken, as well the plaintiffs as the lords, mayors, bailiffs, citizens, burgeſſes, and commonalty may have their challenge. (3) And if it be found by ſuch aſſiſes or inqueſts ſo to be taken, that ſuch defaults ſhall be made by colluſion, to put out and exclude the ſaid lords, mayors, bailiffs, citizens, burgeſſes, or commonalty of their franchiſes, liberties, cognizances, or juriſdiction, that in ſuch caſes the ſaid writs ſhall be abated, and the plaintiffs ſhall be in the King's mercy: (4) by conſideration that

ſonelx ſuez ou a ſuers devaunt le Roi en ſon bank juſtices de commune bank ou autres juſtices le Roi qiconqe pur le temps eſteantz daſcuns terres tenementz ou autres choſes eſteant ou ſurdaunt deinz aſcuns ſeignurie fraunchiſe ou auncien demeſne dount la conuſance ou juriſdiction doit aperteigner as aſcuns ſeignurs mairs bailiffs citezeins burgeys ou communalte de tielx ſeignurs franchiſe ou auncien demeſne qe adonqes ſi aſcun defendant en aſcun tiel aſſiſe ou autres actions perſonelx face defaute pur ouſtier & excluder les ditz ſeignurs mairs baillifs citezeins burgeys ou communalte de lour fraunchiſe ou conuſance qe les juſtices al requeſt dez ditz ſeignurs mairs bailifs citezeins burgeys ou communalte facent enquerer par laſſiſe ou tiel exception eſt alegge en aſſiſe & en actions perſonelx par enqueſtz apprendre devaunt les juſtices ſi tielx defautes ſoient faitz come deſuis eſt dit ou nemye en queulx aſſiſe & enqueſt iſſint apprendre ſibien les pleintifs come les ſeignurs mairs baillifs citezeins burgeys & communalte purront aver lour chalaunge. Et ſi trove ſoit par tielx aſſiſe ou enqueſtes iſſint apprendres qe tielx defautes ſoient faitz par colluſion pur ouſtier & excluder les ditz ſeignurs mairs baillifs citezeins burgeys ou communalte de lour franchiſe libertees conuſances ou juriſdiction qe en tielx caſes lez ditz briefs ſoient abatuz & lez pleintifs ſoient en la mercy le Roy par conſideration qil eſt ordine par leſtatuit fait lan du regne le Roy *Henry* aiel noſtre ſeignur le Roy ixme qe ſi aſcun

9 H 4. c. 5. Mayors, bailiffs, &c. Lords of ancient demeſne, named diſſeiſors in aſsiſe by colluſion, to put them out of their cogniſance.

mair

mair baillif communalte ou ſeignur dauncien demene ſoit nome en briefs daſſiſe par colluſion pur eux ouſtier de lour conuſance ou juriſdiction en cell partie qe les juſtices primes enquergent par laſſiſe du paiis de tiel colluſion ſi les ditz ſeignurs mairs baillifs ou communalte le demandent. Et ſi trove ſoit par tiel enquiſition qils ſoient iſſint nomez par colluſion quadonqes le brief abatera.

that it is ordained by the ſtatute made the ninth year of the reign of King *Henry*, grandfather to our lord the King, That if any mayor, bailiff, commonalty, or lord of ancient demeſne be named in writs of aſſiſes by colluſion, to put them out of their cognizance or juriſdiction in this behalf, that the juſtices firſt ſhall enquire by the aſſiſe of the country, of ſuch colluſion, if the ſaid lords, mayors, bailiffs, or commonalty the ſame require; (5) and if it be found by ſuch inquiſition, that they be ſo named by colluſion, that then the writ ſhall abate.

CAP. XXVII.

A remedy for the inhabitants of Tewkſbury *in the county of* Glouceſter, *againſt the commonalty of the foreſt of* Dean, &c. *to prevent future robberies and injuries in the navigation on the* Severn.

ITEM, foraſmuch as the commons of the realm of *England*, being in the ſame parliament, at the inſtance and eſpecial requeſt of the faithful liege people of our ſovereign lord the King, the bailiffs, burgeſſes, and commonalty of the town of *Tewksbury*, within the county of *Glouceſter*, have made to our ſovereign lord the King, a very grievous complaint in the ſame parliament; That whereas the ſaid town of *Tewkſbury* is adjoining to the river of *Severn*, within the ſaid county of *Glouceſter*, which river is common to all the liege people of our ſovereign lord the King, to carry and bring within the ſtream of the ſaid river in boats, troughs, and otherwiſe, all manner of merchandiſe and other goods and chattels to *Briſtol*, and to every part adjoining to the ſame river, in which river divers perſon of the ſaid town of *Tewkſbury* often times and now of late have charged their proper veſſels and troughs with wheat, rye, and other corn and goods, to the value of five hundred pounds, and ſo the ſame veſſels and troughs ſo charged, have conveyed in the ſame river towards the ſaid town of *Briſtol* by the coaſts of the foreſt of *Dean*, within the ſaid county of *Glouceſter*, joining to the ſaid river, there have commonly great multitude of people, and routs of the commons of the ſame foreſt, and of the hundreds of *Bledisſlow* and *Weſbury*, with great riot and force in manner of war, as enemies of a ſtrange land, and with force have ſpoiled the ſame perſons of the ſaid veſſels, and taken of them all their corn and goods within the ſame veſſels, and the ſame perſons have menaced and threatened to put to death, if they made any reſiſtance, or any ſuit, quarrel, or complaint for the ſame, to the great hindrance, loſs, and impoveriſhment of the ſaid per- Ex edit. Raſt.

ſons, and oppreſſion of all the country there adjoining. And afterward the ſame our ſovereign lord the King, by the advice and aſſent of his council, ſent his letters of privy ſeal, directed to divers perſons of the ſaid foreſt, to make open proclamation that no man of the ſaid foreſt ſhould be ſo hardy to inquiet or diſturb his people to paſs by the river with all manner of corn, goods and chattels, or any other merchandiſe, upon the pain of treaſon, after which proclamation ſo made, the ſaid treſpaſſers came to the ſaid river with more greater routs and riots than ever they did before, not eſteeming nor regarding the ſaid letters of privy ſeal, and there ſpoiled at divers times eight troughs of wheat, rye-flour, and divers other goods and chattels, and the people of the ſame troughs did throw over the board and divers of them drowned, and the ſterns of the ſaid troughs did cut away, and did threaten the owners of the ſaid goods and chattels, and alſo the people of the ſaid troughs, that they ſhould not be ſo hardy to carry no manner of victual by the ſaid ſtream much nor little, for lord nor for lady: and that they would hew all to pieces the ſaid boats, if they came another time by the coaſts of the ſaid foreſt of *Dean*, for the which riot and rebellion, no perſon of the ſaid town of *Tewkſbury*, nor of the country adjoining, dare not carry any corn nor other goods nor chattels in the ſaid river, nor purſue to have remedy for ſuch oppreſſions and griefs to them done, foraſmuch as the ſaid foreſt of *Dean* and hundreds be very large, and the people inhabiting and reſident in the ſame very wild, and nigh adjoining to the country of *Wales*. And all the commons of the ſame foreſt and hundreds of one affinity and confederacy in malice and riot, not pondering nor regarding the law, nor the officers and miniſters of the ſame, nor caring for the proceſs nor the puniſhment of the law of the land, inſomuch that they will not obey, but at their own will, any miniſter of the King's laws, nor execution of the ſame, nor the officers nor miniſters of the law of the ſaid county, dare not in any wiſe come into the ſaid foreſt, to execute any matter or proceſs of the law againſt the will and intent of the commons of the foreſt and hundred aforeſaid. Our ſovereign lord the King, having tender reſpect and conſideration of the ſaid miſchiefs, and alſo conſidering the inconveniencies, which be like to enſue and follow upon the ſame, and upon that willing to reſiſt the malice of ſuch tranſgreſſors and offenders, and to provide haſty and covenable remedy for his ſaid faithful liege people ſo grieved in this behalf, by the advice and aſſent of the lords ſpiritual and temporal, being in this preſent parliament, and at the ſpecial requeſt of the ſaid commons there aſſembled, hath ordained by authority of the ſame parliament, that in every ſuch caſe hereafter to come, or elſe had or chanced this laſt year paſt, the ſheriff of the ſaid county, or the bailiffs of the town of *Glouceſter* for the time being, or one of them, upon pain of forfeiture of twenty pounds to be levied of their lands, goods, and chattels, to the uſe of our ſovereign lord the King, make proclamation at the ſaid town

Foreſt of Dean.

town of *Glouceſter*, within four days next after notification made to them, or to any of them by the perſons ſo endamaged, or by any other in their names, of ſuch injuries and treſpaſſes done, and that the ſaid treſpaſſers and offenders ſhall reſtore in the ſame town of *Glouceſter* within fifteen days after the ſaid proclamation to the ſaid perſons ſo endamaged, their ſaid corn and merchandiſes, goods and chattels ſo taken, or the very value of the ſame, with reaſonable amends for their damages of ſuch taking. After which proclamation if the ſaid treſpaſſers do not reſtore the ſaid corn and merchandiſes, goods and chattels, or the value of the ſame, to the parties ſo grieved in the form aforeſaid, with reaſonable amends for their damages, nor that the ſaid treſpaſſers be not brought to the King's priſon, to the caſtle of *Glouceſter* for the ſaid treſpaſſes by the officers of the ſaid foreſts and hundreds, or by the commonalties of the ſame, to be demeaned in ſuch caſe by the King and his council, that then by conſideration of the ſtatute of *Wincheſter* put for the robbery of any perſon, which giveth an action for him which is robbed, againſt the hundred within which the ſame robbery is done, after the form of the ſame ſtatute, the ſaid commonalties ſhall be charged of the ſame corn and merchandiſes, goods and chattels ſo taken, or of the very value of the ſame, to the parties ſo grieved, to ſatisfy them of their damages for the ſame taking. And that the ſaid parties ſo endamaged and grieved, may have their general actions of debt againſt the ſaid commonalties of the ſaid foreſt and hundred, of the ſum of money, to which the value of the corn, merchandiſes, goods and chattels ſo taken do extend.

Commonalty incorporate.

And although the ſaid commonalties be no commonalties corporate, yet they ſhall have proceſs in ſuch actions of debt, by ſummons, attachments, and diſtreſs, as if he were to have an action of debt at the common law, ſo that if the ſaid commonalties make default at the ſecond diſtreſs in ſuch actions, that then the party which ſhall ſue, ſhall have judgment to recover his debt againſt the ſaid commonalties, after the ſuppoſal of their goods, in the form aforeſaid, with his reaſonable damages and expences. And whatſoever iſſue triable by inqueſt in the ſaid foreſt and hundreds ſhall happen to be taken in ſuch actions, it ſhall be tried by inqueſt of the body of the ſaid county, out of the ſame foreſt and hundreds. And that the goods and chattels of every ſingular perſon of the ſaid commonalties, for the time being, ſhall be had, taken, and holden in law convict, as the common goods and chattels of the ſame commonalties, touching the return, ſerving, and all executions of writs, proceſſes and judgments in and of the ſaid actions. And that every ſingular perſon of the ſaid foreſt and commonalties, have power by authority of the ſaid parliament, to attach and arreſt the ſaid treſpaſſers by their bodies, as well within the ſaid foreſt as without, and them ſo arreſted to commit to the ſaid priſon. And that the keeper of the ſame priſon upon pain of forty pounds, to be levied of his goods and chattels,

lands and tenements, to the uſe of our ſovereign lord the King, ſhall ſafely keep every perſon ſo committed to his cuſtody, till the time that the King or his council hath ordained and provided their deliverance of record. And if the goods or chattels of any ſingular perſon or perſons of the ſaid foreſt and hundreds, being not guilty of the ſaid robberies, happen to be put in execution becauſe of any ſuch actions and judgments, that then the ſaid perſon or perſons ſo being not guilty, may have their ſpecial action of debt or treſpaſs upon their caſe of the goods and chattels ſo put in execution, againſt the ſaid treſpaſſers, to recover their damages, as well for the value of the goods or chattels ſo put in execution, as for their damages and coſts which happened to be had becauſe of ſuch actions of debt; and they ſhall have ſuch proceſſes in the ſaid actions of debt or treſpaſs, as is to be had in the ſaid actions of debt for the ſaid perſons ſo endamaged and ſpoiled.

CAP. XXVIII.

There ſhall be a bridge made over the water of Burford, *and another over the water of* Culhamford, *in the county of* Oxford.

Ex edit. Raſt. This chapter is not on the roll.

Bridges. Waters of Burford.

ITEM, the King conſidering the great eaſe and profit, which ſhould come to his people by the making of two bridges, that is to ſay, one over the water of *Burford*, and another over the water of *Culhamford*, in the highway extending from the town of *Abingdon* to *Dorcheſter*, in the county of *Oxford*, and by the enlarging, inhancing, and repairing of the way betwixt the ſaid waters and bridges of the breadth of iiii perches and viii inches, between the ditches of the ſame way, and alſo by the planting and ſetting of certain trees called Poplars and Willows upon the banks of the ſaid ditches, for the reparation of the ſame ways when ſhall be needful: it is ordained by the aſſent aforeſaid, That the ſaid bridges and paſſages over the ſame, and alſo the ſaid way between the ſaid bridges, of the breadth aforeſaid ſhall be and remain for ever as bridges, paſſages, and a way to all that ſhall paſs there, as well on horſeback, as on foot and otherwiſe, and with all manner of carriages. And that it be lawful to all the King's liege people to repair, inhance, and newly to edify and ſcour the ſaid bridges, way paſſages and ditches in the breadth aforeſaid, and new trees there to plant, and to caſt in the ſaid ditches, clay, marl, gravel, to dig earth, and to take the ſame, and to cut the branches and buds of the ſame trees in times convenient, to repair the ſame, as often as ſhall pleaſe them without impeachment of any. Saving always the King's right. And ſaving the abbot of *Abingdon* and his convent, and their ſucceſſors, their liberties within the ſaid bridges, paſſages, waters, and ditches, as they were wont, and all their fiſhing in the ſaid water above the ſaid bridges, and in the ditches.

CAP.

CAP. XXIX.

An inqueſt ſhall be De medietate linguæ, *where an alien is party.*

ITEM come en le parlement tenuz a Weſtm' lan xxvijme du Roi E. tierce entre autres choſes en favour & libertee des merchauntz eſtraungiers repairantz en le roialme dEngleterre ordine ſoit qe ſi plee ou debate ſoit moeve devaunt le mair de leſtaple entre les marchantz ou miniſtres dicell & ſur ceo pur trier la verite enqueſte ou proeve ſoit apprendre ſi lun partie & lautre ſoit eſtraunge ſoit trie par eſtraunges & ſi lun partie & lautre ſoit deinſzein ſoit trie par deinſzeins & ſi lun partie ſoit deinſzein & lautre alien ſoit lun moite de deinſzeins & lautre moite des aliens & enoutre qen toutz maners des enqueſtes & proeves qi ſerroient apprendres ou affairs entre aliens & deinſzeins ſoient ils merchantz ou autres ſibien devaunt le mair de leſtaple come devaunt qeconqes autres jugges ou miniſtres tout ſoit le Roi partie ſoit lun moitee del enqueſt ou proeve dez deinſzeins & lautre moitee des aliens ſi tantz des aliens ſoient en la ville ou lieu ou tiel enqueſt ou proeve ſoit apprendre qe ne ſoient my parties ne ove les parties en contractz plees ou autres querelles dount tielx enqueſtes ou proeves deyvent eſtre priſez & ſi tant dez aliens ne ſoient point adonqes ſoient myz en tielx enqueſtes ou proeves tantz des aliens come ſerront trovez en meſmes les lieux ou villes qi a ceo ne ſoient my parties ne ove les parties come devaunt eſt dit & le remenaunt des deinſzeins qi ſoient

ITEM, *whereas in the parliament holden at* Weſtminſter *the twenty eighth year of King* Edward *the Third, amongſt other things in favour and liberty of the merchants ſtrangers repairing into the realm of* England, *it was ordained, That if a plea or debate be moved before the mayor of the ſtaple amongſt the merchants or miniſters of the ſame, and for to try the truth thereof an inqueſt of proof is to be taken, if the one party and the other be ſtrange, it ſhould be tried by ſtrangers*; (2) *and if the one party and the other be denizens, it ſhould be tried by denizens*; (3) *and if the one party be denizen, and the other an alien, the one half ſhould be of denizens, and the other half aliens*; (4) *and moreover, that in all inqueſts and proofs which ſhall be taken and made betwixt aliens and denizens, be they merchants or other, as well before the mayor of the ſtaple, as before any other judges or miniſters, although our lord the King be party, the one half of the inqueſt or proof ſhould be of denizens, and the other half of aliens, if there be ſo many aliens in the town or place where ſuch inqueſt or proof is to be taken, that be not parties, nor with the parties in contracts, pleas, or other quarrels, whereof ſuch inqueſts or proofs ought to be taken*; (5) *and if there be not ſo many aliens, then ſo many aliens ſhall be put in ſuch inqueſts or proof as ſhall be found in the ſame places or towns which be not parties thereunto, nor with the parties as before is ſaid, and the remnant of denizens which be good men, and* 28 Ed. 3. c. 13.

not

not ſuſpect of the one party nor of the other. (6) *Sithence which ordinance the ſaid merchants aliens have been always demeaned and ruled, as well in the ſtaples, as in other of the King's courts, after the form of the ſaid ordinance, until now of late they have been thereof reſtrained and impeached by colour of another ſtatute made in the parliament holden at* Weſtminſter *the ſecond year of King* Henry, *father to our lord the King that now is*; (7) *by which ſtatute, for the great miſchiefs, damages, and diſheriſons, which daily do happen through the realm, as well in caſe of the death of a man, as in caſe of freehold and other caſes, by them that paſs in inqueſts in the ſaid caſe, which were common jurors, and other which had but little or nothing to live upon but by ſuch inqueſt, and which had nothing to loſe becauſe of their falſe oaths, whereby they do the more lightly offend their conſciences*; (8) *and for amendment and correction thereof to be had, it was ordained and ſtabliſhed, That no perſon be admitted to paſs in any inqueſt upon trial of the death of a man, nor in any inqueſt between party and party in plea real or perſonal, whereof the debt and the damages declared do amount to forty marks, except the ſame perſon have lands or tenements to the yearly value of forty ſhillings above all charges*; (9) *becauſe of which reſtraint and impeachment ſo made to divers merchants aliens, many of the ſame merchants aliens have withdrawn, and daily do withdraw them, and eſchew to come and be converſant on this ſide the ſea, and likely it is, that all the ſame merchants aliens will depart out of the ſame realm of* England, *if the ſaid laſt ſtatute*

2 H. 5. ſtat. 2. c. 3.

ſoient prodes hommes & nient ſuſpiciouſes a lun partie ne a lautre. Depuis quell ordinance les ditz marchantz aliens ount eſte tout temps demeſnez & reulez ſibien en les ditz eſtaples come en les autres courtes du Roy ſolonc la forme dicell ordinance tanqe jatarde qils ent ount eſte reſtreintz & empeſchiez par colour dun autre eſtatuit fait en le parlement tenuz a Weſtm' lan du reigne le Roi H. pier noſtre ſeignur le Roi qoreſt ſeconde par quell leſtatut pur les graundes meſchiefs & diſheritances qe de jour en autre aveignoient parmy le roialme dEngleterre ſibien en cas de morte de home come en cas de franc tenement & en autres caſes par cieux qi paſſerent es enqueſtes en les dites caſes qi feurent communes jurrours & autres qi navoient qe poie de vivre mes par tielx enqueſtes & les queux navoient rien a perdre par cauſe de lour faux ſerementz parount ils le puis legierment offenderent lour conſciences & pur correction & amendement ent avoir ordine fuiſt & eſtablie qe null perſone ſoit admys de paſſer en aſcun enqueſt triall de morte de homme ne en aſcun enqueſte parentre partie & partie en plee reall ou perſonell dount le dette & lez damages declarez amountent a xl. marcs ſi meſme la perſone nait terres ou tenementz del anuel value de xl s. par an outre les repriſes dicelles A cauſe de quell reſtreint & empeſchement enſy faitz as ditz merchantz aliens pluſours de meſmes lez marchantz aliens leur ount retraihez & ſe retrahent de jour en autre & eſchuent de venir & converſer

par

par decea & verisemblable est qe treſtoutz meſmes les marchantz aliens lour voillent departier hors de meſme le roialme ſi le dit darrein eſtatut ne ſoit pluis overtement declarez & lez ditz merchantz aliens reulez governez & demeſnez en tielx enqueſtes ſolonc la fourme del primer ordinaunce deſuiſdite a treſgraunde amenuſement des ſubſidces du Roi & grevouſe perde & damage a tout ſon roialme avaunt dit. Noſtre dit ſeignur le Roi conſiderant les premiſſes & qil ne fuiſt my lentention du dit nadgairs Roi ne de les ſeignurs eſpirituelx & temporelx de ſon dit parlement de deroger ou prejudicer a le dit primer ordinaunce par le dit darren eſtatut & qe meſme le darrein eſtatut fuiſt fait a cauſe des meſchiefs & diſheritances qavenoient per lez faux ſerementz des communes jurrours du roialme ſicome il appiert par expreſſes paroles de meſme leſtatut & coment les ditz marchantz aliens ne ſont mye communes jurrours ne enheritables deinz le dit roialme ne purront purchacer nenjoier aſcuns terres ou tenementz en icell ſaunz eſpeciall licence du Roi. Et voillant pur ceo meſme noſtre ſeignur le Roi purveier pur le bien & profit de luy & de ſon dit roialme & pur eſcheuer les damages & inconveniences qi purront legierment avenir en cell partie & auxi pur doner as ditz merchantz aliens le greindre corage & talent de venir ove lour merces & merchandiſes en ceſt roialme de ladvys & aſſent des ſeignurs eſpirituelx & temporelx eſteantz en ceſt preſent parlement ad declaree le dit darrein

tute be not more plainly declared, and the ſaid merchants aliens ruled and governed, and demeaned in ſuch inqueſts, according to the firſt ordinance aforeſaid, to the great diminiſhing of the King's ſubſidies, and grievous loſs and damage of all his ſaid reaim of England. (10) *Our lord the King conſidering the premiſſes, and how that it was not the meaning of the ſaid late King, nor of the lords ſpiritual and temporal of the ſaid parliament, to hinder or prejudice the ſaid firſt ordinance by the ſaid laſt ſtatute,* (11) *and that the ſaid laſt ſtatute was made in reſpect of the miſchiefs and diſheriſons that happened by the falſe oaths of the common jurors of the realm of* England, *as it appeareth by expreſs words of the ſame ſtatute; and how that the ſaid merchants aliens be not common jurors, nor inhabiting within the ſaid realm, nor may not purchaſe nor enjoy any lands or tenements in the ſame, without the King's ſpecial licence*; (12) and the ſame our lord the King willing therein to provide for the weal and profit of him and all his realm, and to eſchew the damages and inconveniencies which may eaſily happen in this behalf, and alſo to give to the ſaid merchants aliens the greater courage and deſire to come with their wares and merchandiſes into this realm, by the advice and aſſent of the lords ſpiritual and temporal, being in this preſent parliament, hath declared the ſaid laſt ſtatute, made in the time of his father, to be in no wiſe prejudicial to the ſaid ordinance, nor to extend itſelf but only to the inqueſts to be taken betwixt denizen and denizen

A confirmation of the ſtatute of 28 Ed. 3. c. 13. ordaining that an inqueſt ſhall be De medietate linguae, where an alien is party.

nizen, and not to other inqueſts and proofs aforeſaid; (13) and the ſaid firſt ordinance to be effectual and ſtand in force, and to be put in due execution according to the form of the ſame, notwithſtanding the ſaid laſt ſtatute, or that that the aliens have not lands or tenements to the value of forty ſhillings by the year, according to the purport of the ſame laſt ſtatute and ordinance.

And the ſtatute of 2 H. 5. ſtat. 2. c. 3. limited to inqueſts taken between denizen and denizen.

darrein eſtatut fait en temps de ſon dit pier noun eſtre aſcunement prejudiciell au dite primere ordinaunce ne ſe extendre mes tantſoulement a les enqueſtes apprendres parentre deinſzein & deinſzein & nemy a les autres enqueſtes & proeves deſuſdites & la dite primere ordinance deſtre effectuell & eſtoier en ſa force & deſtre myz en due execution ſolonc la forme dicell le dit darrein eſtatut ou ceo qe lez aliens nount my terres ou tenementz a le value de xl s. par an ſolonc la contenue de meſme le darrein eſtatut nient contriſteant.

Statutes made at *Weſtminſter*, *Anno* 9 HEN. VI. and *Anno Dom.* 1430.

AT *the parliament holden at* Weſtminſter *the Friday next before the feaſt of St.* Hillary, *the ninth year of the reign of our lord the King that now is, divers ſtatutes and ordinances were made and eſtabliſhed by the advice and aſſent of the lords ſpiritual and temporal, and at the ſpecial requeſt of the commons of the realm aſſembled in the ſaid parliament, in the form following.*

AU parlement tenuz a Weſtm' le Vendredy proſchein devaunt le feſt de ſcint Hillary lan du regue noſtre ſeignur le Roi qoreſt noefiſme diverſez eſtatutz & ordenaunces feurent faitz & ordinez par advis & aſſent des ſeignurs eſpirituelx & temporelx & a la eſpeciall requeſt des communes, du roialme en le dit parlement aſſemblez en la fourme qenſuit.

CAP. I.

All aſſiſes and Niſi prius *ſhall be adjourned during this parliament, until certain days.*

Ex edit. Raſt. FIRST, conſidering how that in all the counties of *England* the days of the aſſiſes of *Novell diſſeiſin* and of *Niſi prius* then were prefixed very likely to be holden during the high court of the ſaid parliament, in which court of parliament many of the King's liege people were by his commandment, of which many were plaintiffs and many defendants in the ſame aſſiſes and *Niſi prius*, and in the ſaid aſſiſes and *Niſi prius*, the ſame plaintiffs and defendants were likely to be diſinherited, if remedy were not provided in this behalf: and for ſo much by the advice and aſſent of the ſaid lords, and at the ſpecial requeſt of

of the ſaid commons, it is ordained by authority of the ſaid parliament, to prorogue all manner of aſſiſes and *Niſi prius* before prefixed, till certain days by the chancellor of *England* for the time being after the third day of *March*, the ſaid ix. year to be limited. And the days ſo by the ſaid chancellor to be limited, have relation in law to the days of aſſiſes and *Niſi prius* then ſo prefixed, in ſuch wiſe, that by this prorogation the ſame aſſiſes and *Niſi prius*, ſhall not be holden nor reputed nonſued, nor diſcontinued. And that in every of the ſaid counties proclamations be made by the ſheriffs fifteen days before the ſaid days, ſo by the chancellor to be limited, to the intent that the plaintiffs and defendants, and all other, which have to do in the ſaid aſſiſes and *Niſi prius*, may keep their days to be limited in the ſame proclamations ſo to be made. Which proclamations ſhall have the effect and force of attachments, without that that it behoveth to make any new attachments for the ſame. **Prorogation.**

CAP. II.

Engliſh *merchants may ſell their merchandiſe to aliens, giving them only ſix months credit, notwithſtanding the ſtatute of* 8 Hen. 6. c. 24.

ITEM, whereas in the parliament holden at *Weſtminſter* the eighth year of our ſovereign lord the King, amongſt other articles it is contained, to eſchew the great loſs and damage, which divers perſons of this realm have had, and were likely to have for the loans made of their merchandiſe to merchants aliens, which have fled away with the ſame, and daily take ſanctuaries: it was ordained, that no *Engliſhman* ſhould ſell nor cauſe to be ſold from henceforth to any merchant alien, any manner of merchandiſe but only for ready payment of money or otherwiſe in merchandiſe for merchandiſe, to be paid and contented in hand, upon pain of forfeiture of the ſame: becauſe of which ordinance the *Engliſh* merchants have not ſold, nor cannot ſell nor utter their cloths to merchants aliens, whereby the King hath loſt his ſubſidies and cuſtoms, which he ought to have had, if the ſaid cloths had been ſold as they were and were wont heretofore: and *Engliſh* merchants, clothworkers, and other the King's liege people in divers parts of his realm annoyed and endamaged: whereupon at the ſupplication of the ſaid commons, and by the advice and aſſent aforeſaid, it is ordained that the *Engliſh* merchants may ſell their cloths to merchants aliens for ready payment in money or otherwiſe in merchandiſe for merchandiſe, to be paid and contented in hand, or upon loan of payment to be made in money or merchandiſe from ſix months to ſix months next enſuing after ſuch buyings and bargains made without giving thereof further days of payment, upon pain of forfeiture of the ſame: notwithſtanding the ſaid ordinance. And this ordinance ſhall endure as long as ſhall pleaſe the King. Provided always that all other articles contained in the ſaid ordinance, made in the ſaid eighth year, ſhall ſtand in their force. **Cloths ſold for days to ſtrangers.**

CAP.

CAP. III.

The proceedings againſt Owen Glendour, *attainted of high treaſon, ſhall ſtand good, notwithſtanding any error, miſpriſion, &c. but ſhall not prejudice his heirs.*

Owen Glendour.

ITEM, conſidering the great inſurrections, rebellions, and horrible treaſons imagined and committed by *Owen Glendour* of *Wales*, againſt the royal majeſty of King *Henry*, grandfather of our ſovereign lord the King that now is, whereof he was indicted (as it appeareth in an indictment made before *Thomas* late earl of *Arundel*, *John Durley*, and *Thomas Lee*, by the commiſſion of the ſaid grandfather to inquire with other, of all manner of treaſons, inſurrections, and enemies of the ſame King the grandfather, as in the ſaid commiſſion is more fully contained:) and thereupon the ſaid indictment of high and heinous treaſons brought into the King's bench at *Weſtminſter*, and proceſs thereof made, till the ſame *Owen* after proclamation made in five counties, was outlawed, and after in the full parliament holden at *Weſtminſter*, the fourth year of the ſame King the grandfather, was called and named of record traitor to the ſaid King the grandfather, as well by ſtatute as by the letters patents of the ſaid King the grandfather: and for the horribility of his ſo many treaſons, it was ordained by ſtatute in the ſame parliament that no *Engliſh* man married to any *Welch* woman of the amity and aliance of the ſaid *Owen*, traitor to the King, ſhould be put in office in *Wales*, nor in the marches: and alſo conſidering how the ſaid *Owen* and his adherents were excepted in many general graces and pardons granted by the ſaid King the grandfather to his liege people at divers times, becauſe of the inſurrections, rebellions, and horrible treaſons aforeſaid, for the weal of all the realm, and for the repreſſion of all ſuch horrible treaſons from henceforth to be compaſſed, of the aſſent of the lords and commons aforeſaid: it is ordained and ſtabliſhed, by the authority of this preſent parliament, That all manner of indictments, inquiſitions, proceſſes, records, judgments, ordinances, and ſtatutes made and expreſſed, taken, had, purſued, or declared againſt the ſaid *Owen*, be affirmed, authoriſed, and ſtabliſhed for law by authority of this preſent parliament, and by the ſame authority ſhall be effectual and ſufficient in the law for to bind and conclude for ever, all that be heirs or of the blood of the ſaid *Owen*, notwithſtanding any default or miſpriſion had in this party, or any error in writing or in leaving out of the name or place, or the indorſement of the ſaid commiſſion, or of negligence adding or leaving out more or leſs than behoveth, or any other default in the ſaid indictments, inquiſitions, records, or judgments notwithſtanding, ſo that this preſent ordinance be not prejudicial to any of the heirs or of the blood of the ſaid *Owen*, as to any lands in tail.

CAP.

CAP. IV.

An identitate nominis *maintainable by executors*, &c.

ITEM pur ceo qe avaunt ces heures diverſes utlagaries ount eſte pronunciez en divers des lieges du Roi ſibien devaunt leſtatut dadditions fait a Weſtm' lan primer le Roi *Henri* quint pier a noſtre ſeignur le Roi qoreſt come depuis a cauſe des queles utlagaries les corps dautres gentz eiantz autielx & ſemblables nouns come ceux qi feurent utlagez en fait avoient ount eſte priſez & empriſonez & lours biens & chateulx pur celle cauſe par leſchetours noſtre dit ſeignur le Roi & ſes nobles progenitours ſeiſez et combien qe par le commune ley du roialme brief de Idemptitate nominis ad eſtee maintenable pur meſme la perſone qe en la fourme ſuiſdite fuiſt moleſte & greve nepurquant ſi aſcune perſone des ditz lieges eiant ſemblable noun come aſcun autre perſone de meſmez les lieges qen fait fuiſt utlage avoit fiſt ſes executours & moruſt ſovent avient qe par malice & ſubtilx ymaginations les biens & chateux de tiel teſtatour qe avoit meſme le noun come celuy qi fuiſt utlage en fait avoit eſtoient ſeiſez & eſchetez es mains noſtre dit ſeignur le Roi & de ſes ditz progenitours en retardation del execution del teſtement de checun tiel teſtatour pur le doute qad eſtee de ceo qe aſcuns executours purroient par la commune ley avoir brief de Idemptitate nominis ou noun. Sur quoy pur toller & remover toutz tielx doutes & ambiguites en ceſt cas en apres del aſſent & advis ſuiſditz & a la eſpecial requeſt des ditz communes ordeinez eſt & eſtablez

ITEM, *For that before this time many outlawries have been pronounced againſt divers of the King's liege people, as well before the ſtatute of additions made at* Weſtminſter *the firſt year of King* Henry *the Fifth, father to our lord the King that now is, as ſithence, in reſpect of which outlawries, the bodies of other perſons having ſuch and like names as they had which were outlawed indeed, have been taken and impriſoned, and their goods and chattels for this cauſe ſeiſed by the eſcheators of the King and of his noble progenitors:* (2) *And although that by the common law of the realm a writ of* Idemptitate nominis *hath been maintainable for the ſame perſon, which in the form aforeſaid was moleſted and grieved; nevertheleſs if any perſon of the ſaid lieges, having like name as any other perſon of the ſame liege people which was outlawed in deed, had made his executors, and died, often it happened, that by malice and ſubtil imaginations the goods and chattels of ſuch teſtator, which had the ſame name as he had which was outlawed in deed, were ſeiſed and eſcheated to the hands of our lord the King and of his progenitors, in retardation of the execution of the teſtament of every ſuch teſtator, for the doubt which hath been, whether any executors may by the common law have a writ of* Idemptitate nominis, *or not.* (3) *Wherefore to take away and remove all ſuch ambiguities and doubts in this caſe hereafter, of the aſſent and advice aforeſaid, and at the ſpecial requeſt of the ſaid commons, it is ordained and eſtabliſhed by authority of this par-*

1 H. 5. c. 5.

37 Ed. 3. c. 2. Raſt. 407.

An Idemptitate nominis maintainable by the executors of a teſtator wrongfully moleſted by colour of any outlawry.

parliament, That a writ of *Idemptitate nominis* be granted and made good and maintainable for the executors of every teſtator, to the ſame effect that the ſame action of *Idemptitate nominis* was maintainable before this parliament for any perſon himſelf which was or might have been moleſted or grieved becauſe or by colour of any ſuch outlawry. (4) And that this ordinance ſhall have relation and force, by authority aforeſaid, for the executors of every teſtator, as well of every outlawry pronounced againſt any perſon at any time before this parliament, as of all manner of outlawries to be pronounced againſt any perſon in time to come.

Regiſt. 194.

lez par auctorite de ceſt parlement qe brief de Idemptitate nominis ſoit & poet eſtre graunte & done bone & maintenable pur les executours de cheſcun teſtatour auxibien & de meſme leffect come la dite action de Idemptitate nominis fuiſt maintenable devaunt ceſt parlement pur aſcune perſone meſme qi fuiſt ou purroit avoir eſte moleſte ou greve par cauſe ou colour daſcune tiel utlagarie. Et qe ceſte ordenaunce ait relation & force par lauctorite ſuiſdite pur executours de cheſcun teſtatour ſibien de cheſcune utlagarie pronuncie en aſcun perſone a aſcun temps devaunt ceſt parlement come de toutz maners dutlagaries pronunciez en aſcun perſone en temps avenir.

CAP. V.

All men ſhall have free paſſage in Severn *with goods, chattels*, &c.

2 H. 6. c. 27.

ITEM, *becauſe the river of* Severn, *is common to all the King's liege people, to carry and recarry within the ſtream of the ſaid river, to* Briſtol, Glouceſter, *and* Worceſter, *and other places joining to the ſaid river, all manner of merchandiſes and other goods and chattels, as well in trowes and boats, as in flotes commonly called Drags, in every part joining to the ſaid river*; (3) *within which river many* Welſhmen *and other perſons dwelling in divers places joining to the ſaid river, have now late aſſembled in great number, arrayed in manner of war, and taken ſuch flotes, otherwiſe called drags, and them have hewed in pieces, and with force and arms beaten the people which were in ſuch drags, to the intent that they ſhould hire of the ſaid* Welſhmen *and other perſons, for great ſums of money, boats, and other veſſels for*

ITEM pur tant qe la ryver de Severne eſt commune a toutz les leiges du Roi de carier & recarier deinz le ſtreme du dit ryver a Briſtuyt Glouceſtre & Worceſtre & autres lieux au dit river adjoynantz toutz maners des merchandiſes & autres biens & chateux ſibien en trowes & batelx come en flotes autrement appellez dragges en cheſcun partie adjoynant au dit river deinz quell river divers Galeis & autres perſones demurantez en divers lieux adjoynantz au dit river ount ore tarde aſſembles en graunde noumbre arraiez en faire de guerre & pris tielx flotus autrement appellez dragges & eux ount trenchez en peces & ove force & armes batuz lez gentz queux feurent en tielx flotus a lentent quils lowerent des ditz galeys & autres perſones pur graunde

graunde ſumme de moneye batelx & autres veſſelx pur cariage des tielx merchandiſes & autres biens & chateux a malveis enſample & graunde empoveriſſiment des ditz lieges ſils ne ſoient haſtiment remediez. Si eſt ordinez par auctorite de ceſt parlement qe les ditz lieges du Roi purront avoier & enjoier lour frank paſſage en le dit river ove flotus & dragges & toutz maners des merchandiſes & autres biens & chateux a lour volunte ſaunz deſtourbaunce de nully. Et ſi aſcun ſoit deſtourbe de ſon frank paſſage en le dit river ait la partie greve ſa action ſolonc le cours de la commune ley.

for carriage of ſuch merchandiſes, and other goods and chattels, to an evil example and great impoveriſhment of the ſaid liege people, if remedy be not haſtily provided; (3) it is ordained by authority of this parliament, That the ſaid liege people of the King may have and enjoy their free paſſage in the ſaid river with flotes and drags, and all manner of merchandiſes, and other goods and chattels, at their will, without diſturbance of any; (4) and if any be diſturbed of his free paſſage in the ſaid river, the party grieved ſhall have his action according to the courſe of the common law.

A remedy for them who are hindred of their free paſſage with boats, or goods, upon the river of Severn. 19 H. 7. c. 18. 25 H. 8. c. 12.

CAP. VI.

The burgeſſes of Dorcheſter *ſhall have their weighing by twelve miles about*, &c.

ITEM ordeignez eſt & aſſentuz qe par force del eſtatut fait en le darrein parlement des poiſes accordantz a leſtandard de leſcheker a eſtre euez en cheſcune citee burgh & ville deinz le roialme ne ſoient les burgies del burg de Dorcheſtre deſtourbez de lour droit de uſer lour poiſures par xij. leuges environ meſme le burgh uſantz toutz foitz tielx poiſez come en le dit eſtatut ſount exprimez et qe null droit ou title de poiſure ſoit accrue a aſcuny par force de meſme le darrein eſtatut en deſtourbaunce del droit des burgies del burg de Dorcheſtre deſuiſdit.

ITEM it is ordained and aſſented, That by force of the ſtatute made in the laſt parliament, of weights according to the ſtandard of the exchequer to be had in every city, borough, and town within the realm, the burgeſſes of the borough of *Dorcheſter* ſhall not be diſturbed of their right, to uſe their weighing by twelve miles round the ſame borough, uſing always ſuch weights as in the ſaid ſtatute be expreſſed; (2) and that no right nor title of weighing grow to any by force of the ſame laſt ſtatute, in diſturbance of the right of the ſaid burgeſſes of the ſaid borough of *Dorcheſter*.

By the ſtatute 8 H. 6. c. 5. the burgeſſes of Dorcheſter ſhall not be diſturbed to uſe their weighing by 12 miles about the ſame.

CAP. VII.

No ſheriff, &c. *of the county of* Hereford *ſhall extort money, or do wrong in his turn, by colour of his office.*

ITEM, for the great miſchiefs and importable oppreſſions daily done to the King's liege people within the county of *Hereford* Sheriff's turn

Ex edit. Raſtal.

Hereford, by encroachments and extortions done by the ſheriffs of the ſaid county for the time being, late begun and wrongfully continued, becauſe that the ſheriffs in their turns and other places after their turns holden and ended, in which other places they have no power nor authority by their office to take any inquiry or inqueſt, do take divers inquiries, inqueſt of office and indictments of labourers, artificers, and other divers things ordained by ſtatute to be inquired before the juſtices and commiſſioners of the peace, whereas in no manner they pertain to be inquired by ſuch ſheriffs in their turns, nor otherwiſe, nor in other places before them: And which ſheriffs by force of ſuch inquiries, inqueſts of office and indictments unduly and unlawfully taken before them in their turns and elſewhere, and for the not coming of the ſaid liege people to the ſaid turns, the ſaid ſheriffs do wrongfully take to their own uſe of divers of the ſame liege people, fines and amerciaments of x. li. and other great ſums, in oppreſſion, undoing, and deſtruction of many poor people of the ſaid lieges, if haſty remedy be not provided in this part: In conſideration of which miſchief it is ordained by authority of this parliament, that no ſheriff nor under ſheriff of the ſaid county from henceforth, by colour of his office, ſhall take any inquiry, indictment, or inqueſt of office in his turn, which ought not by the law to be taken in his turn, nor that he by colour of his ſaid office take any inquiry, inqueſt of office, or indictment in any other place, after the ſaid turn holden, and ended, nor that he take of any of the King's liege people any fines or amerciaments, for any thing or cauſe that pertaineth not to his turn or office, nor no ſuch heinous nor grievous amerciament of any of the ſaid lieges, againſt reaſon, for not coming to the ſaid turn, or to another place, or for other cauſe by colour of his ſaid office, upon pain of xl. li. by him to be paid to our ſovereign lord the King his heirs and ſucceſſors, as oftentimes as ſuch ſheriff or under ſheriff thereof or of any article of the ſame be duly convict at the ſuit of the King or of the party grieved, which ſhall ſue as well for the King as for himſelf. And that the plaintiff in ſuch caſe have the half of the ſaid ſum, together with his double damages to his own uſe. And that the party in this caſe grieved have power by the ſame authority, to ſue in this party againſt ſuch ſheriffs and under ſheriffs, as well for the King as for himſelf as before is ſaid. And that the juſtices of peace of the ſame county for the time being, have power and authority to inquire, hear, and determine, ſuch miſpriſions and offences, as well at the King's ſuit as at the party's, which will ſue for the King and for himſelf. And this ordinance ſhall endure by iii. years next coming.

County of Hereford.

11 H. 6. c. 7.

CAP. VIII.

The weight of a wey of cheeſe.

3 H. 6. c. 5.

ITEM, *Whereas it hath been of old times accuſtomed in all the*

ITEM come il ad eſte daun-cien temps accuſtumez en toutz

toutz les countees dEngleterre qe les formages qe duſſent eſtre venduz par la wey ſerroit poiſee par le auncell et pur ceo qe a le darrein parlement tenuz a Weſtm' fuiſt ordeigne qe les ditz auncelles a cauſe de la graunde deceite dicelles ſerroient deſtruitz & autres poiſes couchantz ſerroient celle partie ordeinuz et eſt ainſi qe les poverez gentz du roialme ſount graundement deceux par les dits poiſes couchant a cauſe qils neient coniſaunce combien des livres le wey de formage tient par les ditz poiſez cochauntz. Et pur ceo au fin qe les ditz poverez gentz ne ſerroient en celle partie deceux ſicome ils ount eſtee depuis le dit darrein parlement ordine eſt par auctorite de ceſt parlement qe le pois dun wey dun formage puiſſe tenir xxxij. cloves ceſtaſſavoir cheſcun clove vij. li. par les ditz poiſes cochantz.

the counties of England, *that all the cheeſes which ought to be ſold by the wey ſhould be weighed by the auncel, and becauſe that at the laſt parliament holden at* Weſtminſter *it was ordained, That the ſaid auncels, in reſpect of the great deceit of the ſame, ſhould be deſtroyed, and other weights couching ſhould be in this behalf ordained; and it is ſo, that the poor people of the realm be greatly deceived by the ſaid weights couching, for that they know not how many pounds the wey of cheeſe doth contain by the ſaid weights couching.* (2) And therefore to the intent that the ſaid poor people ſhall not be in this behalf deceived, as they have been ſithence the ſaid laſt parliament, it is ordained by the authority of this parliament, That the weight of a wey of cheeſe may contain xxxii. cloves, that is to ſay, every clove vii. li. by the ſaid weights laying.

A wey of cheeſe ſhall contain 32 cloves.

CAP. IX.

The chancellor of England *may grant his commiſſion to certain perſons to ſcour and amend the river* Ley *in the counties of* Eſſex, Hertford, *and* Middleſex.

ITEM, Whereas it was ordained by a ſtatute made in the time of King *Edward* the Third, the 25th year of his reign, that all the wears, mills, ſtanks, ſtakes, piles, and kydels, which were ſet in the great rivers of England, in the time of the lord *Edward* ſometime King of England, ſon of King *Henry*, and after, whereby ſhips and boats be diſturbed, that they cannot paſs as they were wont to paſs, ſhould be removed and pulled down. And afterward in the parliament of King *Henry*, father of our ſovereign lord the King that now is, holden the firſt year of his reign, it was ordained, that as well the ſaid ſtatute made the ſaid xxv. year, as another ſtatute made in the time of the ſaid noble King *Edward* the Third, the xlv. year of his reign, in all their articles ſhall be firmly holden, and obſerved, joining to the ſame, commiſſions ſhall be made to ſufficient perſons, to be juſtices in every county of *England*, where it ſhall be needful, to ſurvey and keep all the waters and great rivers within the realm, and to correct and amend the defaults,

Wears, mills, &c.

25 Ed. 3. ſtat. 4. c. 4.
1 H. 5. c. 2.
3 H. 6. c. 5.
13 Eliz. c. 18.

and to make due execution of the ſaid ſtatutes according to their effect, as well by their ſurveying, adviſement, and diſcretion, as by inquiſitions within liberties and without, thereof to be taken when it ſhall be needful, and all the premiſſes to hear and determine. And notwithſtanding all the ſaid ſtatutes, and many other ſtatutes made for the conſervation of the ſaid great rivers, there is ſo great number of ſhelfs within the river of *Ley*, which is in the counties of *Eſſex*, *Hertford* and *Middeſex*, which runneth from the bridge of the town of *Ware*, to the river of *Thames*, which ſhelfs be made and come by force and courſe of the ſaid water of *Ley*, that ſhips and boats may not paſs by the ſaid water of *Ley*, as they ought, becauſe that no power nor authority is given by any ſtatute heretofore made, how nor in what manner the ſaid ſhelfs may be removed, as by a petition delivered in this parliament by the commons of the ſame it was fully declared: Whereupon by advice and aſſent of the lords ſpiritual and temporal, and alſo at the requeſt of the ſaid commons, it is granted and ordained, That the chancellor of *England* for the time being, may aſſign certain ſufficient commiſſioners, which ſhall have power by authority of this parliament, to remove and caſt all the ſaid ſhelfs out of the ſaid river of *Ley*, upon the banks of the ſame river, ſo that any may be found, that will take upon him to do the ſame, without excluding of any man's right. And in caſe any credit or ſhift of any ſums of money be or might be made, to put out and amove the ſaid ſhelfs, that then the commiſſioners of the ſaid river for the time being, by them and by their deputies, may by authority of the ſame parliament, take and gather of every ſhip and boat freighted, paſſing or coming in the ſaid river four pence, for the repayment of the ſaid credits made or to be made, and for the conſervation of the ſaid river without ſuch ſhelfs, till the end of three years next following.

River of Ley.

Chancellor of England.

CAP. X.

A rehearſal and confirmation of the ſtatute of 3 HEN. V. cap. 2. *authorizing certain abbots and other religious perſons to make their attornies.*

ITEM, whereas in the parliament holden at *Weſtminſter*, the xv. day of *March* the third year of the reign of King *Henry* the Fifth, a ſtatute was ordained in the form as followeth: Item, foraſmuch as there be divers abbots, priors, whereof ſome be of the King's foundation, and ſome of the foundation of other lords, dwelling as well within the county of *York*, as in the county of *Lancaſter*, whereof ſome have poſſeſſions within the wapentakes of *Stainecliffe* wapentake, and *Friendles* wapentake in *Craven* in the ſaid county of *York*, and and ſome not, againſt whom divers perſons daily by abettment and procurement of the bailiffs approvers of the courts of the ſaid wapentakes, and of the ſtewards that hold pleas in the ſaid courts, and of fermours of the profits and revenues of the ſaid

ſaid courts, do feign and procure by them and other of their covin and aſſent, divers plaints and pleas of debt and treſpaſs, and other divers pleas in the courts of the ſaid wapentakes. And when the ſame abbots and priors come to the ſaid courts to defend them of ſuch wrongful plaints and pleas, and pray and profer to the ſtewards and bailiffs of the ſaid courts to make their attornies in ſuch pleas, the ſaid ſtewards and bailiffs the ſame refuſe, and will not receive ſuch attornies of ſuch abbots and priors, in any plea of debt or treſpaſs, nor in any other plea. And moreover the ſame ſtewards and bailiffs of their own authority do amerce the ſaid abbots and priors, at the firſt time for every of the ſaid plaints ten ſhillings or twenty ſhillings, or more at their will, to the great damage and hindrance of the ſaid abbots and priors, and againſt reaſon and the common law of the land. The King hath ordained in remedy of the ſaid grievances, that all ſuch abbots and priors and their ſucceſſors and every of them, ſo vexed in the ſaid courts, may make their attornies or attorney general, that is to ſay, every of them under the common ſeal of his houſe, to gain and loſe in every plea of debt and treſpaſs, and other plea moved or to be moved in the ſaid courts, and in all other courts within the ſaid wapentakes. And that the ſtewards and bailiffs of the ſaid courts receive the ſaid attornies ſo made and named without any contradiction. And if the ſame ſtewards or bailiffs refuſe to receive any ſuch attornies, ſo made and named, or to be made and named, that then the ſaid ſtewards and bailiffs at every time of ſuch refuſal of ſuch attornies, ſhall forfeit and incur the pain of x. li. to the King. And that the ſaid abbots and priors or their ſucceſſors in the ſaid counties nor in any of them, ſhall be amerced for any nonſuit or default in none other manner than ſecular perſons. And that this ordinance ſtand in his force for all the year next coming, and till the parliament the ſame year next enſuing: After the determination of which ſtatute, becauſe that it was not ordained to endure but for a certain time now determined and paſt, the miſchiefs and grievances aforeſaid do remain yet not remedied, and daily abound and increaſe more than ever they did, and moreover the ſaid ſtewards and bailiffs will now receive none other plea nor anſwer of the ſaid abbots and priors in the ſaid courts, but only to wage their law, to the intent that they ought of neceſſity to appear before them in their proper perſons, to their great vexation and grievances: Wherefore the ſaid miſchiefs and grievances conſidered, for the comfort and relief of the ſaid abbots and priors, and of other religious perſons aforeſaid, by the advice and aſſent of the ſaid lords ſpiritual and temporal, and alſo at the ſpecial requeſt of the ſaid commons, it is ordained, That the ſaid ſtatute, made the ſaid third year, be holden and obſerved as good and effectual, as long as it ſhall pleaſe the King.

Attorney.

CAP. XI.

Proclamations before a writ be awarded to the biſhop to certify baſtardy.

ITEM, *whereas by a ſupplication delivered in this preſent parliament by the commons of the ſame, it was declared by* Margaret *ducheſs of* Clarence, Johan *dutcheſs of* York, *ſiſters, and amongſt other heirs to* Edmond *earl of* Kent, Richard *duke of* York, Richard *earl of* Saliſbury, *and* Alice *his wife*, Ralph *earl of* Weſtmorland, John *lord of* Typtoft *and of* Powys, *and* Joyce *his wife, and* Henry Gray, *couſins, and other of the heirs of the ſaid* Edmond *late earl, as in the ſame ſupplication is ſuppoſed; that is to ſay, the ſaid duke, ſon to* Anne *daughter of* Alianour, *another of the ſiſters of the ſaid* Edmond; *the ſaid* Alice, *daughter to* Alianour *another ſiſter of the ſaid* Edmond; *the ſaid* Ralph, *ſon to* Elizabeth *another ſiſter of the ſaid* Edmond; *the ſaid* Joyce, *daughter to the ſame* Alianour *mother of* Anne; *and the ſaid* Henry Gray, *ſon to* Johan *daughter of the ſame* Alianour: (2) *That whereas* Alianour, *wife to* James *lord* Audley, *pretending, calling, and affirming herſelf daughter and heir to the ſaid* Edmond *late earl of* Kent, *and begotten and born in marriage pretenſed, had betwixt him and* Conſtance *late wife of* Thomas *lord* Deſpenſer, *where by the ſaid ſupplication it is ſuppoſed, that the ſaid* Alianour, *wife to the ſaid* James, *is baſtard, and never was any marriage made, had, nor ſolemnized betwixt the ſaid* Edmond *and* Conſtance, (3) *but the ſaid* Edmond (*by the ordinance, will, and agreement of King* Henry *the*

ITEM come par une ſupplication baille en ceſt parlement par les communes dicell eſtoit declarez par Margarete ducheſſe de Clarence Johan ducheſſe dEverwyk ſoers & entre autres heirs a Edmond nadgairs count de Kent Richard duc dEverwyk Richard count de Sariſbirs & Alece ſa femme Rauf count de Weſtmerland John ſire de Tiptoft & de Powys & Joiuſe ſa femme & Henri Gray coſyns & autres des heirs du dit Edmond nadgairs count ſicome en meſme la ſupplication eſt ſuppoſez ceſtaſſavoir le dit duk fitz a Anne file a Alianore une autre des ſoers du dit Edmond le dite Aleyſe file a Alianore une autre ſoer du dit Edmond le dit Rauf fitz a Elizabeth une autre ſoer du dit Edmond la dite Joiuſe file dite Alianore mere a Anne & le dit Henri Grey fitz a Johanne file a meſme la Alianore qe la ou Alianore femme a James ſire dAudeley pretendant appellant & affermant luy meſme file & heir au dit Edmond nadgairs count de Kent & engendre & nee en eſpouſelx pretenſez euez parentre luy & Cuſtance nadgairs femme a Thomas ſire Deſpenſer la ou par la dit ſupplication eſt ſuppoſe qe la dite Alianore femme au dit James eſt baſtard & jammes nulles eſpouſelx fuerent en fait euez ou ſolempniſez parentre les ditz Edmond & Cuſtaunce mes qe le dit Edmond par lordinaunce volunte & agreement du Roi *Henri* le quart aiel noſtre

tre ſeignur le Roi quoreſt depuis graunde notable & longe ambaſſiatt euz & enjoiez a le duke de Melayne pur mariage a eſtre euez parentre le dit Edmond & Luce ſoer au dit duk de Melayne priſt a femme & overtement & ſolempnement eſpouſa la dite Luce a Loundres vivant cell temps la dite Cuſtaunce & illoeques eſteant preſent nient clamant le dit Edmond a ſon baron ne aſcun dower de ſes terrez puis ſon deceſſe les queux eſpouſilles parentre le dit Edmond & Luce enſi euz & ſolempniſez continuerent ſaunz aſcun interruption du dite Cuſtaunce ou daſcun autre durant la vie du dit Edmond ſicome divers ſiegnurs & autres credibles & notables perſones du dit roialme ount bien en lour memorie et coment puis la deceſſe du dit Edmond lavaundite Luce fuiſt endowe de ſes terres come ſa loyall femme continuant en ſon eſtate peiſiblement par tout ſa vie.

Nientmeins la dite Alianore femme James ſur graunde ſubtilite proceſſe ymagine prive labour & autres menes & voies coloures a lentent qele deveroit eſtre certifiez muliere par aſcun ordinarie en cas qe baſtardie ſerroit alegge en ſa perſone ad porte a ceo qeſt dit en examination devaunt certeins juges en courtz chriſtien & eſpirituel nient enfourmez ne aiantz coniſaunce du dit ſubtilite proceſſe ymagine prive labour colourez meſnes & voies certeins ſubornatz proves & perſones de ſa aſſent & covine depouſantz pur ele come en eſpouſelx euez & ſolempniſez parentre les ditz Edmond & Cuſtaunce & la dite Alianore femme

the Fourth, grandfather to our lord the King that now is, after great, notable, and long ambaſſage had and ſent to the duke of Millain, *for a marriage to be had betwixt the ſaid* Edmond *and* Luce, *ſiſter to the ſaid duke of* Millain) *did take to wife, and openly and ſolemnly married the ſaid* Luce *at* London; *the ſaid* Conſtance *then living, and being there preſent, not claiming the ſaid* Edmond *to her huſband, nor any dower of his lands after his deceaſe*; (4) *which marriage betwixt the ſaid* Edmond *and* Luce *ſo had and ſolemnized, continued without any interruption of the ſaid* Conſtance, *or of any other, during the life of the ſaid* Edmond, *as divers lords and other credible and notable perſons of the ſaid realm do well remember*; *and how after the deceaſe of the ſaid* Edmond, *the ſaid* Luce *was endowed of his lands as his lawful wife, continuing thereof her eſtate peaceably all her life.*

II. *Nevertheleſs the ſaid* Alianour, *the wife of* James, *upon great ſubtilty, proceſs imagined, privy labour, and other means and coloured ways, to the intent that ſhe ought to be certified* Mulier *by ſome ordinary, in caſe that baſtardy ſhould be alledged in her perſon, hath brought (as it is ſaid) in examination before certain judges in the ſpiritual court, not informed, nor having knowledge of the ſaid ſubtilty, imagined proceſs, privy labour, and coloured ways, certain ſuborned proofs and perſons of her aſſent and covin, depoſing for her, that the ſaid* Alianour, *the wife of* James, *was begotten within marriage, had and ſolemnized betwixt the ſaid* Edmond *and* Conſtance; *the ſaid dutcheſs, the duke of* York, *and earl of* Saliſbury, *and*

A ſecret practice to prove one Mulier in the Spiritual court, who is a baſtard.

Alice, *earl of* Weſtmorland, John *the lord of* Typtoft, Joyce *and* Henry, *nor any of them thereof warned, nor knowing until long time after the depoſition ſo made, whereof the ſaid ſuppliants do fear them to be grieved and impeached of their inheritance had by the ſaid* Edmond, *by another ſubtilty and labour in the temporal law, to be practiſed and wrought by the ſaid lord of* Audley *and* Alianour *his wife*; (2) *as if they will commence any action againſt any perſons of their own aſſent and covin, or otherwiſe will cauſe ſuch perſons of ſuch aſſent and covin to purſue an action againſt them, as it is ſuppoſed that they intend to do; in which action, by the covin and aſſent aforeſaid, baſtardy ought to be alledged in the perſon of the ſaid* Alianour, *wife of* James, *and thereupon by the aſſent and covin an iſſue is to be taken, and a writ to be ſent to ſome ordinary (where it pleaſe them, not advertiſed of the ſaid ſubtilty, aſſent, and covin) to certify if the ſaid* Alianour, *the wife of* James, *be* Mulier *or not, before which ordinary the ſame* Alianour, *wife of* James, *will alledge and prove herſelf* Mulier *by the ſaid depoſitions of the ſaid ſuborned witneſſes*; *and then the party reputed as adverſary againſt the lord of* Audley *and* Alianour *his wife, in the ſaid action taken or to be taken by aſſent and covin aforeſaid, will alledge no proof nor matter, nor make any defence before the ſaid ordinary againſt the ſame lord* Audley *and* Alianour *his wife, but ſuffer the matter before the ſaid ordinary to proceed according to the meaning of the ſaid lord of* Audley *and* Alianour *his wife*; *ſo that it is very likely, that the ſame ordinary will certify the ſaid* Alianour, *the wife*

A practice to prove one Mulier by the common law who is indeed a baſtard.

me James pur eſtre engendrez & neez dedeins meſmes les eſpouſelx les ditz ducheſſe duke dEverwyk count de Sariſbirs Alçiſe count de Weſtmerland John ſire de Tiptoft Joiuſe & Henri ne null deux ent nient garniz ne ſaçhantz tanqe par longe temps apres la dite depoſition fait dount les ditz ſuppliantz ſe doutent eſtre grevez & empeſchez de lour enheritaunce euez par le dit Edmond par autre ſubtilite & labour en ley temporell a eſtre laboure & oevere par les ditz ſire dAudeley & Alianore ſa femme ſicome ils voloient prendre aſcun action envers aſcunes perſones de lour aſſent & covyne ou autrement faire aſcuns perſones de tiel aſſent & covyne prendre une action envers eux ſicome il eſt ſuppoſe qils lour ordignent a ceo faire en la quell action par les aſſent & covyne ſuiſditz baſtardie deut eſtre allegge en la perſone du dite Alianore femme James et ſur ceo par aſſent & covyne iſſue eſtre pris & un brief deſtre envoie a aſcun ordinarie ou lour plerroit nient advertiſe des ditz ſubtilite aſſent & covyne pur certefier ſi la dite Alianore femme James fuiſt muliere ou nemye devaunt quell ordinarie meſme la Alianore femme James voet alegger de prover luy meſmes muliere par la dite depoſition des ditz ſubornatz provez & adonqes la partie eu come adverſarie envers les dits ſire dAudeley & Alianore ſa femme en la dit action pris ou apprendre par aſſent & covyne ſuiſditz ne veulle null prove ne matier alegger ne defence fair devaunt le dit ordinarie envers meſmes les ſire dAudeley & Alianore ſa femme mes la

ſuffrer

ſuffrer la matier devaunt le dit ordinarie proceder ſolonc lentent des ditz ſire dAudeley & Alianore ſa femme parenſi qe veriſemblable eſt qe meſme lordinarie verroit certifier la dite Alianore femme James muliere la quelle certificat iſſint eu & fait deuſſoit par la ley dEngleterre diſheriter les ditz ducheſſe duk dEverwyk count de Sariſbirs Aleyſe count de Weſtmerl' John ſire de Tiptoft Joiuſe & Henri & lour iſſue pur toutz jours de lentier enheritaunce avauntdit. Sur qy les premiſſes tendierment conſiderez & pur eviter tielx ſubtielx diſheritaunces ſibien en le dit cas come en autres caſes ſemblables en temps avenir del advis & aſſent des ſeignurs eſpirituelx & temporelx & auxi a la ſpecial requeſt des ditz communes en ceſt parlement aſſemblez ordeinez eſt & eſtablez par auctorite de meſme la parlement qe ſi la dite Alianore femme James ſoit certifie muliere en aſcun court devaunt ces heures qe null maner de tiel certificat pardevaunt fait pur la dite Alianore femme James mette a aſcun prejudice lye endamage ne conclude aſcun perſone ou perſones forſqe celuy & ſes heirs qi fuiſt fait partie a la plee et qe deſore enavaunt toutz juges de ou en les courtz la ou aſcun plee eſt ou ſerra pendant pris on moeve en queux plees enſi faitz pendantz pris ou moevez baſtardie eſt ou ſerra allegge envers aſcun perſone partie a meſme le plee & ſur ceo iſſue joinee ou a joyner le quell par la ley droit eſtre certifie par lordinarie qe lez juges ou un juge de ou en les courtz ou le dit plee eſt ou ſerra pendant pris ou

wife of James, Mulier; (3) *which certificate ſo had and made, ought by the law of* England *ta diſherit the ſaid ducheſſes, duke of* York, *earl of* Saliſbury, *earl of* Weſtmorland, John *lord of* Typtoft, Alice, Joyce, *and* Henry, *and their iſſue for ever, of the whole inheritance aforeſaid.* (4) Whereupon the premiſſes tenderly conſidered, and to eſchew ſuch ſubtil diſheriſons, as well in the ſaid caſe, as in other caſes like in time to come, by the advice and aſſent of all the lords ſpiritual and temporal, and alſo at the ſpecial requeſt of the ſaid commons, in this parliament aſſembled, it is ordained, and eſtabliſhed by authority of this parliament, That if the ſaid *Alianour*, the wife of *James*, be certified *Mulier* in any court before this time, that no manner of certificate heretofore made for the ſaid *Alianour*, wife of *James*, ſhall in any wiſe put to prejudice, bind, endamage, nor conclude any perſon or perſons, but him or his heirs that was party to the plea. (5) And from henceforth all juſtices of or in the courts where any plea is or ſhall be depending, taken, or moved, in which plea, ſo depending, taken, or moved, baſtardy is or ſhall be alledged againſt any perſon party to the ſame plea, and thereupon an iſſue joined, which by the law ought to be certified by the ordinary, that the judges, or one judge of or in the courts where the ſaid plea is or ſhall be depending, taken, or moved, before the time that any writ of certificate paſs out of the ſame court to the ordinary, to certify upon iſſue ſo joined, or to be joined, ſhall make remembrance under

their

their ſeals, or his ſeal, at the ſuit of the demandant or tenant, plaintiff or defendant in the plea, in which the baſtardy is or ſhall be alledged, reciting the iſſue that is joined in the ſame plea of baſtardy, and certifying to the chancellor of the King of *England* for the time being, to the intent that thereupon proclamation be made in the ſaid chancery by three months, once in every month, that all perſons pretending any intereſt to object againſt the party which pretendeth himſelf to be *Mulier*, that they ſue to the ordinary to whom the writ of certificate is or ſhall be directed, to make their allegations and objections againſt the party which pretendeth himſelf to be *Mulier*, as the law of holy church requireth; (6) and the ſaid chancellor having notice of the ſaid remembrance and iſſue joined, and being required by the ſaid demandant or tenant, plaintiff or defendant having the ſaid remembrance, to make the ſaid proclamation as afore is ſaid, the ſame chancellor for the time being ſhall cauſe to be made proclamation in the form aforeſaid; (7) and the proclamation ſo made ſhall certify in the court where the ſaid plea in which the baſtardy is alledged another time ſhall be depending. (8) And that the judges of or in the court where the ſame plea is or ſhall be depending, taken, or moved, before any proclamation ſo to be made in the chancery, make one time ſuch proclamation openly in the ſame court, and alſo another time when the proclamation ſhall be certified by the chancellor of *England*, and made in the form above rehearſed;

Proclamations before a writ awarded to the ordinary to certify baſtardy.

ou moeve devaunt le temps qe aſcun brief de certificat paſſe hors de cell court al ordinarie pur certifier ſur liſſue enſi joyne ou a joyner face une remembrance deſouth lour ſealx ou ſon ſeal al ſuyt le demaundant ou tenant pleintif ou defendant en le plee en quell baſtardie eſt ou ſerra allegge recitant liſſue qeſt joyne en meſme le plee de baſtardie & certifiant a le chaunceller du Roi dEngleterre pur le temps eſteant a lentent qe ſur ceo proclamation ſoit fait en la dite chauncerie par trois moys un foitz en cheſcun moys qe toutz les perſones qi pretendent aſcun intereſſe pur objecter encountre la partie qe luy pretende deſtre muliere qils ſuent al ordinarie a qi le brief de certificat eſt ou ſerra direct pur faire lour allegeaunces & objections envers la partie qe luy pretende deſtre muliere ſicome la ley de ſeint eſglife requiert et le dit chaunceller eiant notice del dit remembraunce & iſſue joynee & requis par le dit demaundant ou tenant pleintif ou defendant avauntditz aiant meſme la remembraunce de fair la dite proclamation come deſuis eſt dit meſme le chaunceller pur le temps eſteant ferra fair proclamation en la fourme avauntdit & la proclamation enſi fait certifiera en la court ou le dit plee en quell la baſtardie eſt allegge alors ſerra pendant. Et qe les juges de ou en la court ou le dit plee eſt ou ſerra pendant pris ou moeve devaunt aſcun proclamation enſi affaire en la chauncerie facent un foitz autiel proclamation overtement en meſme la court & auxi autre foitz quant les proclamations ſerront certifiez par le chaunceller & en la

la fourme reherce faitz et adonqes le dit juge agardera le dit brief de certificat al ordinarie pur certifier fur liſſue iſſint joynee ou a joyner. Et ſi aſcun brief de certificat ſoit fait ou graunte devaunt ceo qe toutz les ditz proclamations en la fourme devaunt reherce ſoient faitz & certifiez qe adonqes cell brief de certificat et le certificat del ordinarie ſur ceo faite ou affaire ſoit voide en ley & de null effect. Et ſi aſcun brief devaunt ceſt temps ſoit direct a aſcun ordinarie pur certifier ſi la dite Alianore femme James ſoit baſtard ou nemye & a ceſt temps nient certifie ſil ſoit certifie enapres par vertu du dit brief qe meſme le certificat du dit ordinarie enſi fait ſoit voide & de null effect.

rehearſed; (9) and then the ſaid judge ſhall award the ſaid writ of certificate to the ordinary, to certify upon the iſſue ſo joined, or to be joined; (10) and if any writ of certificate be made or granted, before that all the proclamations in the form aforeſaid be made and certified, that then the ſaid writ of certificate, and the certificate of the ordinary thereupon made or to be made, ſhall be void in law, and of none effect. (11) And if any writ before this time be directed to any ordinary, to certify if the ſaid *Alianour*, wife of *James*, be baſtard or not, and at this time not certified, if it be certified hereafter by virtue of the ſaid writ, that the ſame certificate of the ſaid ordinary ſo made, be void and of none effect. Raſt. 29, 105, 280.

Statutes made at *Weſtminſter*, *Anno* 10 HEN. VI. and *Anno Dom.* 1432.

NOSTRE ſeignur le Roi a ſon parlement tenuz a Weſtm' le xij^e. jour de Maij lan de ſon regne diſme a lonour de Dieu & pur le bien de luy & ſon roialme & pur la tranqilite & eaſe de ſon poeple de ladvis & aſſent des ſeignurs eſpirituelx & temporelx & a la eſpeciale requeſt des communes en meſme le parlement aſſemblez ad fait ordeiner & eſtabler diverſes eſtatuitz & ordinaunces en la fourme qenſuiſt.

OUR *lord the King, at his parliament holden at* Weſtminſter *the twelfth day of* May, *the tenth year of his reign, to the honour of God, and for the wealth of him and his realm, and for the tranquility and eaſe of his people, by the advice and aſſent of the lords ſpiritual and temporal, and at the ſpecial requeſt of the commons in the ſame parliament aſſembled, hath cauſed to be enacted and eſtabliſhed divers ſtatutes and ordinances in the form following.*

CAP. I.

Recogniſances taken before the mayor, &c. *of* Calais, *ſhall be effectual in* England.

FIRST, whereas it is granted to the mayor and conſtables of the ſtaple of *Calais*, by the charter of the King's noble progenitors, Ex edit. Pulton.

Recognisances taken before the mayor of the staple of Calais shall be effectual within England.

progenitors, and by him confirmed, that they shall have power to take and record all recognizances of debts before them made by any person, and therefore great doubts were, if the recognisances before the said mayor and constables made beyond the sea, should be effectual and executory in all points within the realm of *England*, as the recognisances made before the mayor and constables of the staple of *Westminster* be: (2) Our lord the King willing in this case to take away all such doubts, by the advice and assent of the lords spiritual and temporal, and at the special request of the said commons, hath ordained by authority of the same parliament, That all the recognisances of debts before the said mayor and constables of *Calais*, made or to be made by any persons beyond the sea, shall be as effectual and executory, and of such force in all points within the realm, and in the same form executory, as the said recognisances made before the said mayor and constabies of the staple of *Westminster*, or before any other mayors or constables of the staple within the said realm be.

CAP. II.

Certain things required in him who shall be a chooser of the knights of the parliament.

2 H. 6. c. 7.

ITEM, *whereas at the parliament holden at* Westminster *the morrow of St.* Matthew *the apostle, the eighth year of the King that now is, it was ordained by the authority of the same parliament, That the knights of all counties within the realm of* England, *to be chosen to come to the parliaments hereafter to be holden, should be chosen in every county by people dwelling and resiant in the same, whereof every one shall have freehold to the value of forty shillings by year at the least, above all charges, upon a certain pain contained in the same statute*; (2) *not making express mention in the same, that every man that shall be chooser of any such knights, shall have freehold to the value of forty shillings at the least, above all charges, within the same county where such chooser with other like shall make such election, or elsewhere*: (3) And therefore our lord the King, willing to make plain declaration of the said statute

ITEM come au parlement tenuz a Westm' lendemain de seint Mattheu lappostle lan du regne nostre seignur le Roi oeptisme ordine estoit & estable par auctorite de mesme le parlement qe les chivalers des toutz countees deins le roialme dEngleterre a esliers pur venir as parlementz en apres a tenirs soient esluz en chescun countee par gentz demurantz & reseantz en icelles dount chescun ait frank tenement a la value de xl. s. par an au meins outre les reprises sur certein peine contenuz en mesme lestatuit nient fessant expresse mention en icell qe chescun qi serroit esliśour daścuns tielx chivalers averoit frank tenementz a la value de xl. s. au meins outre les reprisez deins mesme le countee ou ascun tiel esliśour ovesqe autres semblables ferroit tiel election ou aillours. Et pur taunt nostre seignur le Roi voillant faire du dit estatuit pleine declaration del advis & assent

affent ſuiſditz & a la requeſt des dites communes ad ordine qe les chivalers de toutz les countees deins le dit roialme a eſliers pur venir a les parlementz en apres a tenirs ſoient eſluz en cheſcun countee par gentz demurantz & reſeauntz en icelles dount cheſcun ait frank tenement a la value de xl. s. par an au meins outre les repriſes deins meſme le countee ou aſcun tiel eſliſour ſoi voet meller daſcun tiel election.

tute, by the advice and aſſent aforeſaid, and at the ſpecial requeſt of the ſaid commons, hath ordained, That the knights of all counties within the ſaid realm, to be choſen to come to parliaments hereafter to be holden, ſhall be choſen in every county by people dwelling and reſiant in the ſame, whereof every man ſhall have freehold to the value of xl. s. by the year at the leaſt, above all charges, within the ſame county where any ſuch chooſer will meddle of any ſuch election.

A chooſer of the knights of the parliament muſt be reſiant within the ſame county, and have freehold.

1 H. 5. c. 1.

CAP. III.

A letter of requeſt ſhall be granted by the keeper of the privy ſeal to any of the King's ſubjects, from whom goods ſhall be taken by the ſubjects of Denmark.

ITEM pur ceo qe noſtre ſeignur le Roi a la grevouſe compleint a luy fait en iceſt parlement par les communes de ſon roialme eſteantz en icell eſt enfourme qe pluſours de ſes foialx lieges ſount graundement empoverez anientez & en point deſtre deſtruitz par le Roi de Denmark & ſez lieges qi ſount del amiſtee du Roi noſtre ſeignur a cauſe qils preignent de jour en autre de ſez ditz foialx lieges lour biens pariſſint qils ount pris des marchauntz dEverwyk & Kyngeſton ſur Hull biens & marchandiſez a la value de v. M. li. dedeins un an & dautres lieges & marchaunts du roialme biens & chateux a la value de xx. M. li. dount ils nount remedie du dit Roi de Denmark ne de null autre a cauſe qe null de eux veigne deins le roialme dEngleterre ne riens ount en icell & qe les biens ſount priſez hors de meſme le roialme.

ITem, *becauſe that our ſovereign lord the King, at the grievous complaint to him made in this parliament by the commons of his realm of* England *being in this parliament, is informed, That many of his faithful liege people be greatly impoveriſhed, undone, and in point to be deſtroyed, by the King of* Denmark *and his lieges, which be of the amity of the King our ſovereign lord, becauſe that they do daily take of his ſaid faithful ſubjects their goods, ſo that they have taken of merchants of* York *and* Kingſton *upon* Hull *goods and merchandiſes to the value of five thouſand pounds within a year, and of other lieges and merchants of the realm of* England *goods and chattels to the value of twenty thouſand pounds, whereof they have no remedy of the ſaid King of* Denmark, *nor of none other, foraſmuch as none of them cometh within the realm of* England, *nor nothing have in the ſame realm of* England, *and that the goods*

goods be taken out of the ſame realm: the King willing to provide remedy for his ſaid liege people, hath ordained and eſtabliſhed, That if the goods of any of the ſaid his lieges be or ſhall be taken by the ſaid King of *Denmark*, or any of his ſaid lieges, the keeper of the privy ſeal for the time being ſhall have power to make to the party grieved letters of requeſt under the privy ſeal, without any other purſuit to be made to any, for reſtitution to be had of the goods ſo taken and to be taken. And if reſtitution be not made by ſuch letters, the King our ſovereign lord, by the advice of his council, ſhall provide to the party grieved his covenable remedy, according as the caſe requireth.

A letter of requeſt ſhall be granted by the keeper of the privy ſeal, to any of the King's ſubjects from whom goods ſhall be taken by the ſubjects of the King of Denmark.

roialme. Meſme noſtre ſeignur le Roi voillant a ſez ditz lieges purvoier de remedie del advis & aſſent ſuiſditz ordine qe ſi les biens daſcuns de ſez ditz lieges ſoient ou ſerront priſez par le dit Roi de Denmark ou aſcuns de ſez ditz lieges ait le dit gardein du prive ſeal pur le temps eſteant poiair de faire au partie greve lettres de requeſt deſoubz le prive ſeal ſaunz autre purſuite affaire a aſcuny pur reſtitution avoir des biens iſſint priſez & apprendrez. Et ſi reſtitution ne ſoit fait par tielx lettres le Roi noſtre ſeignur par advis de ſon counceill purveiera al partie greve covenable remedie ſolonc ceo qe le cas requiert.

CAP. IV.

The penalty of him that maketh a falſe entry, that the plaintiff doth offer himſelf in perſon, where he doth not.

ITEM, *For that divers of the King's liege people before this time have been outlawed, and greatly vexed and diſquieted in divers ſuits, as well before the King in his bench, as in the common bench, in the records of which ſuits the entries have been made, that the plaintiffs in the ſame ſuits* Obtulerunt ſe in propria perſona ſua, *where the ſame plaintiffs never appeared to ſuch ſuits, nor had knowledge of the ſame, in great miſchief of the ſaid liege people, if remedy be not provided in this behalf*; (2) our lord the King willing in this caſe to provide remedy, hath ordained and eſtabliſhed by authority of this preſent parliament, That no manner *Fyliſer*, *Exigenter*, nor any other officer, from henceforth ſhall make ſuch

The penalty of him that maketh a falſe entry, that the plaintiff doth offer himſelf in perſon, where he doth not.

ITEM pur ceo qe divers des lieges du Roi avaunt ces hoeures ount eſtee utlagez & graundement vexez & diſſeiſez en divers ſeutez ſibien devaunt le Roi en ſon bank come en le commune bank en les recordes des queux ſeutes les entres ount eſtee faitz qe les pleintifs en meſmes les ſeutes Optulerunt ſe in propria perſona ſua lou meſmes les pleintifs unques nappareront as tieulx ſeutes ne coniſaunce avoient dicelles en graunde miſchief des ditz lieges ſi remedie ne ſoit purveu en cell partie noſtre ſeignur le Roi voillant en ceo cas purvoir de remedie ad ordine par auctorite de ceſt parlement qe null filicer exigenter ne autre officer deſore enavaunt ferra tiel entree

entree en aſcun ſeute ſinon qe le pleintif en meſme la ſute avaunt qe aſcun tiel entre ſoit fait appierte en ſa propre perſone devaunt aſcun des juſtices de lieu ou le plee eſt ou ſerra pendant & illeoqes ſoit juree ſur un liver qil eſt meſme la perſone en qi noun la dite ſuite eſt ſue ou qe autre creable perſone de ſon counſeill face tiel ſerement pur luy. Et durera ceſt ordinance tanqal proſchein parlement.

ſuch entry in any manner ſuit, except that the plaintiff in the ſame ſuit, before that ſuch entry be made, do appear in his proper perſon before ſome of the ſaid juſtices of the place where the plea is or ſhall be depending; (3) and there he ſhall be ſworn upon a book, That he is the ſame perſon in whoſe name the ſaid ſuit is ſued, or that ſome other credible perſon of *the King*'s * council make ſuch oath for him. (4) And this ordinance ſhall endure till the next parliament.

* *His counſel.* Made perpetual by 18 H. 6. c. 9.

CAP. V.

A rehearſal of the ſtatute of 21 R. II. c. 18. *touching the maintenance of certain places about* Calais.

Ex edit Raſt. Cal 12. Beacons.

ITEM, whereas by a ſtatute made the xxi. year of *Richard* the Second, for two great works very neceſſary always to be ſuſtained and ſupported about the town of *Calais*, and the marches there, that is to ſay, the beacons before the port there, and the place called *Paradiſe*, which is nigh to the ditches of the ſame town, it was ordained and ſtabliſhed, That all manner of ſhips accuſtomed to come to the ſaid port out of *England* (the fiſhers boats only excepted) ſhall bring with them all their laſtage of good ſtones, covenable for the ſtuffing of the ſaid beacons, thereof making reaſonable deliverance from time to time at their coming there, to the treaſurer, which for the time ſhall be, or to other miniſters thereto by him ordained, upon pain of iid. for the weight of every tun, and as much as the ſaid ſhips ſhall be of portage. And that all manner of ſhips entering to reſt at the ſaid place of *Paradiſe*, ſhall pay at every their entry there iiii d. ſterling. And thereupon it ſhall be lawful to them (if they will) to tarry there by four days, with as many nights then next following, without paying any more for their ſaid entry. And in caſe that they abide longer than four days and nights aforeſaid, then they ſhall pay for every day and night one penny, and for the only day an halfpenny, and for the only night an halfpenny. And moreover, that no manner of perſon preſume to faſten any manner ſhip or boat by cable, cord, or otherwiſe to the timber nor to the ſtones of the ſaid beacons nor *Paradiſe*, nor to the new Key, otherwiſe called the Wharf at the ſide of the ſaid port of *Calais*, upon pain of x. li. to be levied of the ſhip, which ſo ſhall be found faſtened. And that the ſaid treaſurer, which for the time ſhall be, ſhall have full power by him and his deputies to levy and receive the money of the ſaid pains incurred and riſing: and thereof to make payment according as ſhall need in his office by the view

and controlment of the King's controller there, which ſtatute amongſt other things made in the ſame parliament was revoked and adnulled in the parliament holden at *Weſtminſter* the firſt year of King *Henry* the Fourth, to the great damage and hindrance of the ſaid works, and to the grievous and importable coſts of the King, if remedy be not haſtily provided. And for ſo much our ſovere gn lord the King, by the advice and aſſent of the ſaid lords ſpiritual and temporal, and alſo of the ſaid commons being in this parliament, hath ordained and eſtabliſhed, That the ſaid ſtatute, made the ſaid xxi. year, be from henceforth a ſtatute effectual, holden and kept, and put in due execution for ever, according to the tenor of the ſame.

CAP. VI.

What proceſs ſhall be awarded upon an indictment removed into the King's bench.

8 H.6. c.10.

ITEM, *whereas in the parliament holden at* Weſtminſter *the eighth year of the King that now is, it was ordained, That upon every indictment or appeal, by the which any of the King's liege people, dwelling in other foreign and divers counties than where ſuch indictment or appeal is or ſhall be taken, of treaſon, felony, or treſpaſs, to be taken hereafter before juſtices of peace, or before any other juſtice whatſoever, having power to take ſuch indictments or appeals, or other commiſſioners or juſtices in any county, franchiſe, or liberty of* England, *before any exigent awarded upon any indictment or appeal in the form aforeſaid to be taken, that preſently after the firſt writ of* Capias *upon every ſuch indictment or appeal awarded and returned, that another writ of* Capias *ſhall be awarded, directed to the ſheriff of the county, whereof he that is ſo indicted or appealed is or was ſuppoſed to be converſant by the ſame indictment or appeal, returnable before the ſame juſtices or commiſſioners, before whom he is indicted or appealed, at a certain day, containing the ſpace of three months from the date of the ſame writ to the return*

ITEM come au parlement tenuz a Weſtm' lan du reigne noſtre ſeignur le Roi qoreſt viiie ordine eſtoit qe ſur cheſcune enditement ou appell par la quell aſcuns des lieges du Roi demurrantz en autres countees qe la ou tiel enditement ou appell ſoit ou ſerra pris de treſon felonie ou treſpaſs apprendre en apres devaunt juſtices de peas ou devaunt aſcun autre eiant poair de prendre tielx enditementz ou appellez ou autres commiſſioners ou juſtices en aſcun countee fraunchiſe ou libertee dEngleterre devaunt aſcun exigent agarde ſur aſcun enditement ou appell en la fourme avauntdite apprendre qe maintenant apres le primer brief de Capias ſur cheſcun tiel enditement ou appell agarde & retourne qe un autre brief de Capias ſoit agarde direct al viſcount del countee dount celuy qeſt enſy endite ou appelle eſt ou fuiſt ſuppoſe deſtre converſant par meſme lenditement ou appell retournable devaunt meſmes les juſtices ou commiſſioners devaunt queux il eſt endite ou appelle a un certein jour conteignant leſpace de trois mois del date de meſme

meſme le brief & le retourne dicell come par meſme leſtatuit pleinement appiert. Par quell clauſe du dit eſtatuit ceſtaſſavoir retournable devaunt meſme les juſtices ou commiſſioners devaunt queux il eſt endite ou appelle aſcuns entendount qe le brief de Capias ordine par le dit eſtatuit qe ſerra direct al viſcount del countee dount celuy qeſt enſi endite ou appelle eſt ou fuiſt ſuppoſe deſtre converſant par meſme lenditement ou appell ſerra retourne devaunt meſme les juſtices ou commiſſioners ou autres devaunt queux lenditement ou appell fuiſt pris & nounpas aillours. Et ymaginantz pur defrauder & anientiſer le dit eſtatuit ſuent pur remoever tielx enditementz & appellez hors des mains les juſtices & commiſſioners avauntditz en le bank le Roi & aillours par Certiorari & autrement les parties enſi enditz ou appellez nient ſachantz & ſur ceo ſuent proceſſe uſe a la commune ley devaunt la feſaunce du dit eſtatuit en le bank le Roi & aillours apres tiel remoevement en graunde empoveriſſement & vexation des loialx lieges du Roy. Pur qoy noſtre ſeignur le Roi del advis & aſſent ſuiſditz & al eſpecial requeſt des ditz communes par auctorite ſuiſdite ad ordine qe le dit eſtatuit ſoit tenuz & gardez & mys en due execution en toutz pointz adjouſtant a icell qe ſi aſcuns tielx enditementz priſez ou apprendres devaunt aſcuns des juſtices du peas ou devaunt aſcun autre eiant poair de prendre tielx enditementz ou appell ou autres juſtices ou commiſſioners en aſcune countee fraunchiſe ou libertee dEngleterre ſoient remoevez devaunt le Roi en ſon bank ou aillours par

return of the ſame, as by the ſame ſtatute plainly appeareth. (2) *By which clauſe of the ſame ſtatute, that is to ſay, returnable before the ſame juſtices or commiſſioners before whom he is indicted or appealed, ſome do think that the writ of* Capias *ordained by the ſaid ſtatute, which ſhall be directed to the ſheriff, whereof he that is ſo indicted or appealed is or was ſuppoſed to be converſant by the ſame indictment or appeal, ſhall be returned before the ſame juſtices or commiſſioners, or other, before whom the indictment or appeal was taken, and not elſewhere.* (3) *And imagining to defraud and make fruſtrate the ſaid ſtatute, do ſue to remove ſuch indictments and appeals out of the hands of the juſtices or commiſſioners aforeſaid into the King's bench and elſewhere by* Certiorari *and otherwiſe, unknown to the party ſo indicted, and thereupon ſue the proceſs uſed at the common law before the making of the ſaid ſtatute in the King's bench and elſewhere, after the removing, to the great impoveriſhing and vexation of the King's faithful ſubjects.* (4) Wherefore the ſame our lord the King, by the advice and aſſent aforeſaid, and at the ſpecial requeſt of the ſaid commons, by authority aforeſaid hath ordained, That the ſaid ſtatute be holden and kept, and put in due execution in all points; (5) joined to the ſame, that if any ſuch indictments taken, or to be taken, before any juſtices of peace, or before any other having power to take ſuch indictments or appeals, or other juſtices or commiſſioners in any county, franchiſe or liberty of *England*, ſhall be removed before the King in his bench or elſewhere, by *Certiorari* or otherwiſe,

A confirmation of the ſtatute 8 H. 6. cap. 10. touching proceſs upon indictments of perſons dwelling in foreign counties. Raſt. 52.

Proceſs when the aforeſaid indictments, &c. are removed into the King's bench.

wiſe, then after ſuch removing, before any exigent awarded upon any ſuch indictment or appeal in the form aforeſaid taken, or to be taken, that preſently after the firſt writ of *Capias* upon every ſuch indictment or appeal awarded and returned, that another writ of *Capias* be awarded, directed to the ſheriff of the county, whereof he that is ſo indicted or appealed is or was ſuppoſed to be converſant by the ſame indictment or appeal, returnable before the King in his bench at a certain day, containing the ſpace of three months or four from the date of the ſaid laſt writ of *Capias*, according to the manner and form that the juſtices of peace, and other in the ſaid firſt ſtatute contained, ought to have done, before ſuch removing after the making of the ſaid firſt ſtatute. (6) And if any ſuch exigent be hereafter awarded upon any ſuch indictment or appeal after ſuch removing againſt the form aforeſaid, or any outlawry thereupon pronounced, as well the ſame exigent ſo awarded, as the outlawry thereupon to be pronounced, and every of them ſhall be holden for none and void, according as in the ſaid firſt ſtatute is more fully contained.

Certiorari ou autrement qe adonqes apres tiel remoevement devaunt aſcun exigend' agarde ſur aſcun tiel enditement ou appell en la fourme avauntdite pris ou apprendre qe maintenant apres le primer brief de Capias ſur cheſcun tiel enditement ou appell agarde & retourne qe un autre brief de Capias ſoit agarde direct al viſcount del countee dount celuy qeſt enditee ou appelle eſt ou fuiſt ſuppoſe deſtre converſant par meſme lenditement ou appelle retournable devaunt le Roi en ſon bank a un certein jour conteignant leſpace de trois mois ou quatre mois del date del dit darrein brief de Capias ſolonç les maner & fourme qe les juſtices de peas & autres en le dit primer eſtatuit contenuz deuſſent avoir fait avaunt tiel remoevement puis la feſaunce du dit primer eſtatuit & enouſtre de ent faire proceſſe ſolonc leffect & pur port del dit primer eſtatuit. Et ſi aſcun exigende ſoit agarde enapres ſur aſcun tiel enditement ou appell apres tiel remoevement encountre la fourme avauntdite ou aſcun utlagarie ſur ceo pronouncie ſoit ſibien celle exigende enſi agarder come lutlagarie ſur ceo a pronouncier & cheſcun de eux tenuz pur null & voide ſolonc ceo qen le dit primer eſtatuit eſt contenuz pluis au plein.

CAP. VII.

All wools and woolfels that ſhall be carried to any other place than to Calais, *ſhall be forfeited to the King and the finder.*

Ex edit. Raſt. Staple of Calais.

ITEM, whereas by a ſtatute it was ordained, That all the wools, woolfels, hides, lead and tin, and divers other merchandiſes paſſing out of the realm of *England*, the lands of *Ireland*, *Wales*, and *Berwick* upon *Tweed*, ought to repair to the ſtaple of *Calais*, and to none other place beyond the ſea, to be ſold under the governance of the mayor and conſtables of the ſaid ſtaple, upon certain pains contained in the ſaid ſtatute, which pains be ſo eaſy and not doubted, that many take in cuſtom

tom to carry, and do daily to be carried out of the realm and lands aforeſaid, by divers means and ways, a great ſubſtance of the wools, woolfels, hides, lead and tin, and other merchandiſes, which ought to repair to the ſaid ſtaple, into *Scotland* and into *Flanders*, *Holland*, *Zealand*, and *Brabant*, without cuſtom or other charge thereof paying, as is paid for wools repairing to *Calais*: and alſo by the ſaid wools and merchandiſes ſo carried to the ſaid parts, there cometh no money into this realm of *England*, nor the ſame realm is increaſed, nor the mint at *Calais* ſuſtained; and moreover, the ſame wools and merchandiſes be ſold in the ſame parts at ſo little a price or value, that the merchants aliens be ſo greatly enſtored of the ſame, that they come not to *Calais* to buy wools and woolfels, as they were accuſtomed to do, to the great loſs and damage of our ſovereign lord the King, and the univerſal damage of his realm, and great hindrance of the utterance of the commodities of the ſaid realm, repairing and being at the ſaid town of *Calais*, as the ſame our ſovereign lord the King hath conceived at the grievous complaint of the merchants and commons of the realm in this preſent parliament aſſembled: our ſovereign lord the King, conſidering the grievous loſſes and damages aforeſaid, hath ordained, That the value of all ſuch goods ſo found carried or to be carried to the ſaid parts, except thoſe wools and woolfels, which by our ſovereign lord the King be or ſhall be licenced: if there be any they ſhall be forfeit, whereof the ſame our ſovereign lord the King ſhall have the one half, and the perſon that eſpieth and proveth the ſame, by the diſcretion of the treaſurer and barons of the exchequer, ſhall have the other half. And that every man have power by authority of the ſame parliament, to make ſuch ſearch in every place where it ſhall be needful.

In rotulo parliamenti tenti apud Weſtm' duodecimo die Maii anno regni Regis HENRICI Sexti poſt conqueſtum decimo *ſtat.* 2.†

ITEM quedam alia petitio exhibita fuit prefato domino Regi in parliamento predicto per prefatos communes pro juſticiariis ſervientibus ad legem & attornato domini Regis in hec verba Priount les communes a iceſt preſent parlement aſſemblez qe pleaſe a noſtre ſoverain' ſeignur le Roi par advis des tres reverentz & tres gracious ſeignurs a iceſt preſent parlement aſſemblez conſiderer coment les juſtices de bank le Roi & del commune bank les juſtices as aſſiſes prendre aſſignez les ſergeantz et lattourney du Roi pur le temps eſteantz devaunt ces hoeures feurent tout temps paiez en mayns de lour fees & regardes du Roi par les treſorerez dEngleterre pur le temps eſteantz annuelment en les termes de Paſque & ſeint Michell par ouelles portions tanqe al

Pro juſticiariis ſervientibus ad legem & attornat. domini regis.

† Mr. Cay obſerves that this is mentioned as a ſtatute in the Old Abridgment, and called *Statutum per ſe*; but that it ſeems to have been reſpited, for it is not entered upon the Statute Roll, and was not publiſhed as a ſtatute.

temps de William Kynwolmerſhe jatarde treſorer dEngletterre et puis qils feurent mys de prendre pur lour payment aſſignementz des dettours de Roi queux par tiels aſſignementz a la foitz riens ſaunz regarde payer ne voillent des queux dettours les ditz juſtices ſergeauntz & attourne ount eſtee & ſount treſmalement ou trop tarde & ove grauntes delayes ou jammes payez & outre ſouvent ſount mys de querer & eſpier dettours du Roi des queux ils voillent avoir lour aſſignementz la ou ils nount ne ſaunz graunde daunger & diligence avoir poient coniſaunce de tielx dettours ne a eux eſpier & querer & pur lour payementz treter attendre ne poient ſaunz leſſer faire lour office et ſervice a Roi & le poeple deliverer & qe expedient a Roi & a ſon poeple ou honeſte ou convenient as offices des ditz juſtices ſergeauntz & attourne neſt il mye de querer & eſpier les ditz dettours & eux par daungerous meſnes entreter pur lour payment aver queux a la foitz pur ceo faire deſiront & demaundont eſtre regardez ou non reſonablement favourez encountre le ſerement des ditz juſtices ſergeantz & attourne & de conſiderer auxi les graundes & continuelx coſtages & expenſes qe les ditz juſtices ſount en lour entendaunce en faiſant lour ditz offices & ſervicez a Roi & le graunde perde & damage qils ount de lour fees & gayne de ceo qils ſount aſſignez juſtices qamounterount a graunt part pluis qe lour ditz fees & regardes de Roi et ſur ceo par auctorite diceſt preſent parlement d'ordiner qe les ditz juſtices ſergeantz & attourne de Roi pur le temps eſteantz & cheſcun de eux ſoient paiez es mains de lour ditz fees & regardes de Roi en les ditz termes par les mains des treſorers dEngleterre pur le temps eſteantz et qe meſmes les treſorers ſoient tenuz a ceo faire par iſſint qe les ditz juſtices ſergeantz & attourne ne covyendra pur la purſuite de lour ditz paymentz aver de leſſer faire lour ditz office & ſervice a Roi deliverer le poeple qount a faire en lour offices avauntditz. Qua quidem petitione in parliamento predicto lecta audita & intellecta de aviſamento & aſſenſu predictis prefate petitioni taliter fuit reſponſum fiat prout petitur.

Statutes made at *Weſtminſter*, *Anno* 11 HEN. VI. and *Anno Dom.* 1433.

OUR *ſovereign lord the King, at his parliament holden at* Weſtminſter *the eighth day of* July, *the eleventh year of his reign, to the reverence of God, and for the weal of the people of his realm, by the aſſent of the lords ſpiritual and temporal, and at the ſpecial requeſt of the commons of his realm in his ſaid parliament aſſembled by authority of the ſame parliament, hath ordained and eſtabliſhed divers ſtatutes, the-*

NOSTRE ſeignur le Roy a ſon parlement tenuz a Weſtm' le viij. jour de Jule lan de ſon regne unziſme a la reverence de Dieu & pur le bien du poeple de ſon roialme del advis & aſſent des ſeignurs eſpirituelx & temporelx de meſme le roialme & a la eſpeciale requeſt dez communes de ſon dit roialme en ſon dit roialme eſteantz par auctorite de meſme le parlement ad fait ordeigne

& eſtable certeins eſtatuitz declarations & ordenaunces en la fourme qenſuit.

declarations, and ordinances, in the form following.

CAP. I.

They that dwell at the ſtews in Southwark *ſhall not be impanelled in juries, nor keep any inn or tavern but there.*

FIRST, foraſmuch as our ſaid ſovereign lord the King, at the grievous complaint to him made by his ſaid commons in the ſame parliament, hath conceived, that divers perſons of great poverty, without conſcience and of an evil governance, now and late dwelling in a place ſuſpected, called the Stews, in the borough of *Southwark*, in the county of *Surry*, as well by the receipt of common women, thieves, mankillers, and adulterers, as by murder and privy robberies, as well by themſelves as by many other there harboured without pity, loyalty, and good conſcience there done, have ſuddenly come to great riches, by which they have purchaſed great livings of lands and tenements, to great yearly values: and becauſe of their ſufficiency of freehold ſo purchaſed, they have been returned by the ſheriff of the ſaid county and other bailiffs in inqueſts, as well for felony and treſpaſs between the King and the party, and party and party, as in aſſizes and other pleas of land before the King's juſtices in his courts, and before the ſtewards and marſhal of his houſe, whereby divers diſheritances and wrongful condemnations of many lawful lieges of our ſovereign lord the King have been had, and many murderers and notorious thieves have been ſaved, great murders and robberies concealed and not puniſhed, and how the perſons ſuſpected inhabit them in common hoſteries and taverns in the highway of the ſame borough, there receiving thieves, common women, and other miſdoers, in like manner as they did in the ſaid ſuſpected place of the ſtews: Our ſovereign lord the King conſidering the premiſſes, and that ſuch people without conſcience be defamed, and may not of reaſon be intending to bear witneſs of truth there where truth ſhould be inquired, hath ordained and eſtabliſhed, That if any ſuch perſon be returned by any ſheriff, bailiff, or other miniſter of our ſaid ſovereign lord the King in the ſaid county of *Surry*, or by any officer before the ſteward and marſhal of our ſovereign lord the King's houſe, as well for the King as for the party, at all times from henceforth he may be challenged, and the challenge in that part allowed for the cauſe before ſaid. And alſo for to avoid murders, robberies, and adulteries that might by likelyhood happen, it is ordained, That no ſuch perſon, which hath dwelled at the ſaid ſtews, be ſuffered to hold any common hoſtery or tavern in other place within the ſaid borough of *Southwark*, but only at the ſaid ſtews. And that the juſtices of peace in the ſame county ſhall have power to inquire of all them that hold hoſteries and taverns, and them to puniſh by fine and ranſom, and by impriſonment of their bodies, after the diſcretion of the ſaid juſtices.

Exedit. Raſt. 3 Inſt. 206. Stews. Challenge. Tavern. Southwark.

CAP. II.

The penalty where a ſheriff is named a diſſeiſor in an aſſiſe.

ITEM, *Whereas ſeveral perſons do often ſue aſſiſes of* Novel diſſeiſin *before juſtices aſſigned againſt divers perſons, and by craft and colluſion, to have their writs of their ſaid aſſiſes directed to the coroners of the counties where the tenements be, to make execution of the ſaid writs, do name in their ſaid aſſiſes the ſheriff of the ſame county one of the diſſeiſors, where he is not, neither ever was diſſeiſor or tenant of the tenements in demand, whereby oftentimes the ſaid aſſiſes be awarded by the default of the tenants which have no knowledge of thoſe aſſiſes, for that they found not any aſſiſe againſt them in the file of the ſheriff, nor have any ſuſpicion of any ſuch aſſiſe taken againſt the ſheriff and them*; (2) our lord the King, willing in this caſe to provide remedy, of the aſſent and authority aforeſaid, hath ordained, That in all ſuch aſſiſes purchaſed, at this time depending, or hereafter to be purchaſed, between any perſons whatſoever they be, before any ſuch juſtices, in which aſſiſes any ſuch ſheriff is named diſſeiſor, if the tenants in the ſaid aſſiſes or any of them will aver, that the ſaid ſheriff is not, nor ever was, diſſeiſor, nor tenant of the tenements in demand, but was named diſſeiſor by colluſion, the averment ſhall be received. (3) And if it be found by the ſaid aſſiſe, that the ſaid ſheriff is not, nor ever was, diſſeiſor nor tenant of the tenements in demand, but was named diſſeiſor by colluſion, then the ſaid juſtices ſhall cauſe to be abated and quaſhed the ſaid writ purchaſed, or to be purchaſed in the form aboveſaid;

The penalty where the ſheriff is named diſſeiſor in an aſſiſe to the intent that he ſhall not execute the writ.

ITEM come divers gentz ſovent foitz ſuent aſſiſes de Novell diſſeiſyn devaunt juſtices aſſignez envers diverſez perſones & par ſubtillite & colluſion pur avoir lour brefs de loures ditz aſſiſes directz as coroners dez countees ou les tenementz ſount pur faire execution dicell brefs ſount nomer en loures ditz aſſiſes le viſcount de meſme le counte une dez diſſeiſoures lou il neſt ne unqes fuiſt diſſeiſour ne tenaunt dez tenementz en demaunde parount ſovent foitz lez ditz aſſiſes ſount agardez par defaute dez tenantz quex nount my conuſaunce de ceux aſſiſes en tant qils ne trovent my aſcun aſſiſe envers eux en la felace de viſcount & nount aſcune ſuſpecion de aſcune tiel aſſiſe priz envers le viſcount & eux noſtre ſeignur le Roi voillant en ceo cas purvoir de remedie del aſſent & auctorite ſuiſditz ad ordeigne qen tous tiels aſſiſes purchaſez & a preſent pendantz ou a purchaſers deſore enavaunt parentre queconqes perſones devaunt aſcuns tieux juſtices en quex aſſiſes aſcune tiel viſcount ſoit nomez deſſeiſour ſi lez tenantz en lez ditz aſſiſes ou aſcun de eux voil averrer qe le dit viſcount neſt ne unqes fuiſt diſſeiſour ne tenaunt dez tenementz en demaunde mais fuiſt nome diſſeiſour par colluſion ſoit laverrement receuz. Et ſi trove ſoit par la dit aſſiſe qe le dit viſcount ne ſoit ne unqes fuit diſſeiſour ne tenaunt dez tenementz en demaunde mais fuiſt nome diſſeiſour par colluſion adonqes lez ditz juſtices facent abater & caſſer le dit brief purchaſe ou purchaſer en

en la fourme ſuiſdit & qe lez pleintifs ou pleintife ſoient ou ſoit en le greve mercy le Roi.

ſaid; (4) and that the plaintiffs] or plaintiff be in the grievous mercy of the King.

CAP. III.

An Aſſiſe, &c. maintainable againſt the pernor of the profits.

ITEM come par eſtatuit fait lan quart le Roy *Henry* pier noſtre ſeignur le Roi quoreſt entre autres ordene ſoit qe les diſſeiſez eient lour action envers lez diſſeiſoures durant la vie meſmes lez diſſeiſoures parenſi qe tiels lez diſſeiſoures ent preigne lez profettes al temps del ſute commence ſicome en meſme leſtatuit eſt contenuz pluis au plein. Le quell eſtatut ſolonqe loppinion dez pluſours ad eſte entenduz es brefs daſſiſes de Novel diſſeiſin tantſolement & ſi graundement meſchefe eſt a les parties demaundantz en autres briefs ſuez & founduz ſur Novell diſſeiſin come en aſſiſe. Et voillant par tant meſme noſtre ſeignur le Roi tous maners oppinions & doutes en ceſt parte ceſſer ad ordene par laſſent & auctorite ſuiſditz qen tous maners dez briefs fonduz ſur le Novell diſſeiſin lez deſſeiſez eient lour recoverer ſils voillent par tiels briefs envers lez diſſeiſoures ou lour feffees auxibien come ils averoient en aſſiſe de Novell diſſeiſin pariſſint qe meſmes lez diſſeiſoures ou lour feffees vers qui ou quex le breſe ferra porte ent pregne ou pregnent lez profettz al temps del bref purchace nient contreſteant aſcuns dons ou feffementz faitz as autres perſones pur delaier lez demaundantz.

ITEM, *Whereas by a ſtatute made the fourth year of the reign of King* Henry, *grandfather of our lord the King that now is, amongſt other things it was ordained, That the diſſeiſees ſhall have their actions againſt the diſſeiſors during the lives of the diſſeiſors, ſo that ſuch diſſeiſors thereof take the profits at the time of the ſuit commenced, as in the ſame ſtatute is contained more at large. The which ſtatute, according to the opinion of many, hath been intended in writs of aſſiſe of* Novel diſſeiſin *only, and as great miſchief it is to the parties demandants in other writs ſued and grounded upon* Novel diſſeiſin, *as in aſſiſe.* (2) Wherefore our lord the King, willing all manner of opinions and doubts in that behalf to ceaſe, hath ordained by the aſſent and authority aforeſaid, That in all manner of writs grounded upon *Novel diſſeiſin*, the diſſeiſees ſhall have their recoveries, if they will, by ſuch writs, againſt the diſſeiſors or their feoffees, as well as they ſhall have in aſſiſe of *Novel diſſeiſin*, ſo that the ſame diſſeiſors, or their feoffees, againſt whom the writ ſhall be brought, thereof take the profits at the time of the writ purchaſed, notwithſtanding any gifts or feoffments made to other perſons for to delay the demandants.

4 H. 4. c. 7.

As well other actions as an aſſiſe ſhall be maintainable againſt the pernor of the profits.

1 R. 2. c. 9.
1 H. 7. c. 1.
27 H. 8. c. 10.

CAP. IV.

The plaintiffs in attaint ſhall recover their coſts and damages.

ITEM noſtre ſeignur le Roi par la grevouſe compleint dez

ITEM *our lord the King, by the grievous complaint of his com-*

The ſeveral pleas and delays that wer

in attaint at the common law.

commons, considering the mischiefs had within the realm, and yet not remedied, and also the great damage and disherison that cometh by the usual perjury of jurors impanelled upon inquests, as well in the courts of our lord the King, as of other, the which perjury doth abound and increase daily more than it was wont, for the great gifts that such jurors take of the parties in pleas sued in the said courts; (2) wherefore the greater part of people that have to sue in the said courts, leave their suits for the mischiefs aforesaid, and namely in respect of the delays that be in the writs of attaints; for that in times past in writs of attaints, when the grand jury had appeared in court, and were ready to pass, one of the tenants or defendants, or of the petty jurors named in such writs, sometime have pleaded false and faint pleas, which were not triable by the grand jury of the attaint, and by that means delayed the taking of such grand juries until such pleas were tried. And after such pleas tried and found for the plaintiffs, another of the jurors, tenants, or defendants, might plead another such false and faint plea after the last continuance in the same attaints, and so every of the defendants, jurors, or tenants, after other, might plead such false and faint plea, and delay the grand jury when it was ready to pass; (3) and though that all such false and faint pleas were found against them which pleaded, no pain was given them by the common law, (4) in regard of which delays, the grand juries in attaints have been often grievously vexed and travelled, and the plaintiffs in such attaints put to so great costs, and thereby impoverished, that they could not prosecute their said suits, wherefore the jurors be the more en-

dez ſez communes conſiderant lez graundes meſchefs ewez deinz le roialme & unquore nient remedez & auxi le graunde damage & diſheretiſon qavient par le uſuell perjure dez jurroures enpanellez en enqueſtes ſibien en lez courtes du Roi come dautres la quell perjure habunde & encrece de jour en autre pluis qe ſoloit pur lez graundes dounes que tiels jurrours pregnent de lez parties es plees ſuez en lez ditz courtes a taunt qe le greindre partie dez gentz qount a ſuer en lez ditz courtes leſſent lour ſutes par Inchelon ſuiſdit & nomement a cauſe qe lez delaics que ſount en lez briefs datteintes purceo qe avaunt cez heures en briefs datteint quant le graunde jure ad apparue en court & fuiſt preſt de paſſer un dez tenantz ou defendantz où des petites jurrours nomez en tielx briefs a le foith ount pledes feintes & fauxes plees quex ne fuerent triablez par la graunde jure de latteint & par celle cauſe delaiez la pries dez tielx graundes juriees tanque tiels plees fuerent triez. Et apres tielx plees triez & trovez pur le pleintifs une autre dez jurrours tenauntz ou defendantz purront pleder une autre tiel fauxe & feinte plee puis la darrein continuance en meſmes lez atteintez. Et iſſint cheſcune dez defendantz jurours ou tenantz apres lautre purroit pleder tiel fauxe & feinte plee & delaier la graunde juriee quant il fuiſt preſt de paſſer. Et combien qe tous tiels faux & feinte plees furent trovez envers eux qui eux plederent nulle peine fuiſt done envers eux par la commune ley a cauſe dez quex delaiez lez graundes jurrees en atteintes

ount

ount eſte ſovent grevouſement vexez & laborez & lez pleintifs en tiels atteintz myz a ſi graunde coſtages & enſi enpoverez qils ne purroient ſuer avaunt lours ditz ſuites par que lez jurrours ount eſte meulx embaudez deſtre perjurez & fair faux ſerementz en tielx caſes. Et voillant ſur ceo noſtre dit ſeignur le Roi purvoier de remedie a la requeſt dez ditz communes & de laſſent des ſeignurs deſuiſditz ad ordene & eſtable qe les parties pleintifs en tous tiels atteintez recoverount lour damages & coſtages envers tous tielx tenauntz jurrours & defendants qils ount ſuſtenez en cele partie. auxibien as briefs datteintz ore pendantz come as briefs datteintz a purchaſerez en temps avenir.

encouraged to be perjured, and to make their falſe oaths in ſuch caſes: (5) Our ſaid lord the King, willing thereof to provide remedy, at the requeſt of the ſaid commons, and by the aſſent of the lords aboveſaid, hath ordained and eſtabliſhed, That the parties plaintiffs in all ſuch attaints ſhall recover their damages and coſts againſt all ſuch tenants, jurors, and defendants, which they have ſuſtained in that behalf; and that this ſtatute extend as well to writs of attaints now hanging, as to writs of attaints to be purchaſed hereafter.

23 H. 8. c. 3.

The plaintiff in attaint ſhall recover his coſts and damages againſt the jurors, tenants, and defendants.

Et qe ceſt eſtatuit ſoy extende

CAP. V.

The remedy where a tenant granteth over his eſtate, taketh the profits, and committeth waſte.

ITEM pur ceo qe lou diverſes gentz devaunt cez heures ount leſſez lour terres & tenementz as diverſes perſones ceſtaſſavoir a terme de vie ou a terme dautre vie & aſcunes a terme dez anz lez ditz tenauntz ſovent foitz ount graunte & leſſe lour eſtate quex avoient en lez ditz terres & tenementz a pluſoures perſones al entent qe ceux en la reverſion ceſtaſſavoir lour leſſoures lours heires ne lour aſſignes ne dueent avoir conuſaunce des loures nounes & puis lez ditz premer tenauntz continuelment occupient lez ditz terres & tenementz & ent pregnent lez profettes a lour propre uſe & en lez ditz terres & tenementz fount waſt & deſtruction a diſheritaunce de ceux en la reverſion ordeigne eſt & eſtable qe ceux en la reverſion en tiel cas purroient avoir & main-

ITEM, *Becauſe that divers people in times paſt have let their lands and tenements to divers perſons, that is to ſay, ſome for term of life or of another man's life, and ſome for term of years, the ſaid tenants have oftentimes let and granted their eſtate which they had in the ſame lands and tenements, to many perſons, to the intent that they in the reverſion, that is to ſay, their leſſors, their heirs, or their aſſigns, might not have knowledge of their names, and after the ſaid firſt tenants continually occupy the ſaid lands and tenements, and therefore take the profits to their proper uſe, and in the ſaid lands and tenements commit waſte and deſtruction, to the diſheritance of them in the reverſion:* (2) It is ordained and eſtabliſhed, That they in the reverſion in ſuch caſe may have and maintain a writ of waſte againſt the ſaid tenants for term

5 Co. 77.

A remedy for him in reverſion where tenant for life or years granteth over

his eſtate, taketh the profits and committeth waſte.

term of life, of another's life, or for years, and ſo recover againſt them the place waſted, and their treble damages, for the waſte by them done, as they ought to have done for the waſte committed by them before the ſaid grant and leaſe of their eſtate. (3) Provided always, That this ordinance hold no place, but where the firſt tenants before the leaſe and grant of their ſaid eſtates, in the manner and form aforeſaid, were puniſhable of waſte; (4) and alſo where after the ſaid grant and leaſe the ſaid firſt tenants of the ſaid lands and tenements take the profits at the time of the waſte done, to their own proper uſe. (5) And this ordinance ſhall extend as well to waſte by ſuch tenants done before this ordinance, as after.

maintenere brief de waſt envers lez ditz tenauntz a terme de vie dautre vie & dez anz & iſſint recoverer envers eux le lieu waſte & lours trebles damages pur le waſt iſſint par eux fait ſicome ils duëent avoir fait pur le waſt par eux fait devaunt lez ditz graunte & leſſe de lour eſtate. Purveu toutz foitz qe cele ordenaunce ne teigne lieu forſque lou lez premers tenauntz devaunt lez leſſe & le graunte de lour dit eſtate en le manere & fourme ſuiſditz fuerent punisſhablez de waſt et auxi lou apres le ditz graunt & leſſe lez ditz premers tenauntz dez ditz terres & tenementz pregnent lez profettes a lour propre opſe demeſne al temps de waſt fait. Et qe ceſt ordenance ſoy extende auxibien al waſt par tielx tenauntz fait devaunt ceſt ordenance come apres.

A proviſo for him that holdeth his term, without impeachment of waſte.

CAP. VI.

No ſuit pending before any juſtices, &c. ſhall be diſcontinued by a new commiſſion.

1 Ed. 6. c. 7.

ITEM, *Our lord the King conſidering the great loſſes and damages which oftentimes have come, and be likely to come hereafter, as well to himſelf as to many of his lieges, for that where as well divers indictments and ſuits for our lord the King, as other ſuits between party and party, have been taken before divers juſtices of the peace, aſſigned by ſeveral commiſſions of our ſaid lord the King in divers counties of* England, *and divers pleas and proceſſes upon thoſe indictments have often been made, and hanging before the ſame juſtices not determined, the which pleas and proceſſes have been often diſcontinued, by making of new commiſſions of the peace in thoſe counties, to the great loſs of our ſaid lord the King*

ITEM noſtre ſeignur le Roi conſiderant lez graundes perdes & damages que ſovent foitz ount avenuz & veriſemblablement avenderount apres ſibien a luy meſmes come as pluſours dez ſez lieges de ceo qe la ou ſibien diverſez enditementz & ſutes pur noſtre ſeignur le Roi come autres futes parentre parte & parte ount eſte priſez devaunt diverſez juſtices de pees aſſignez par diverſez commiſſions de Roi en diverſez countes dEngleterre & diverſes plees & proceſſes ſur icelles enditementz ount ſovent eſte faitez & pendantz devaunt meſmes les juſtices nient determinez lez quex plees & proceſſes ſovent ount eſte diſcontenuz par faiſaunces de novell com-

commiſſions du pees en icelles countes a graunde perde noſtre dit ſeignur le Roi & dez ſez lieges & en retardation dez meſmes lez plees & ſutees & de la deliveraunce dez ſez ditz lieges. Et ſur ceo noſtre dit ſeignur le Roi voillant purvoier de remedie de laſſent & auctorite ſuiſditz ad ordene & eſtable qen tous tielx ſutes & plees & proces en icelles apprendres & affaires devaunt juſtices de pees en aſcune counte dEngleterre lez ditz plees & proces en tiels ſutes affaires ne ſoient my diſcontenuz par tiels novell commiſſions de pees affaires mes eſtoient meſmes lez plees & proceſſes en lour force. Et eient lez juſtices de meſmes lez novell commiſſions enſi aſſignez apres ceo quils averount lez recordes dez ditz plees & proceſſes devaunt eux poair & auctorite dez lez ditz plees & proceſſes continuer & meſmes lez plees & proceſſe & tous lez dependantz dicelles oier & finalment determiner ſicome lez autres juſtices purrount & duiſſent avoir fait de & en icelles ſi null novell commiſſion euſt eſte fait.

and of his ſubjects, in delay of the ſame pleas and ſuits, and of the deliverance of his ſaid ſubjects:

No ſuit before any juſtices or commiſſioners ſhall be diſcontinued by a new commiſſion.

(2) And upon that our lord the King willing to provide remedy, of the aſſent and authority aforeſaid, hath ordained and eſtabliſhed, That in all ſuch pleas, ſuits and proceſſes, in them to be taken and to be made before juſtices of the peace in any county of *England*, the ſaid pleas and proceſſes in ſuch ſuits to be done, ſhall not be diſcontinued by ſuch new commiſſions of the peace to be made, but thoſe pleas and proceſſes ſhall ſtand in their force. (3) And the juſtices in the ſame new commiſſions ſo aſſigned, after that they ſhall have the records of the ſame pleas and proceſſes before them, ſhall have power and authority to continue the ſaid pleas and proceſſes; and the ſame pleas and proceſſes, and all that depend upon them, to hear and finally to determine, as the other juſtices might and ought to have done of and in the ſame, if no new commiſſion had been made.

CAP. VII.

The ſtatute of 9 H. VI. c. 7. *which reſtraineth the ſheriff of the county of* Hereford *to take money by extortion*, &c. *revived for three years.*

Ex edit. Raſt.

ITEM, Whereas in the parliament holden at *Weſtminſter* the Friday next before the feaſt of Saint *Hillary*, the ninth year of our ſovereign lord the King that now is, for the great miſchiefs and intolerable oppreſſions done to his lieges of the county of *Hereford*, by incroachings and extortions done by the ſheriffs of the ſaid county for the time being, late begun and wrongfully continued, for that the ſaid ſheriffs in their turns, and in other places after their turns holden and ended, in the which other places they have no authority nor power by their office to take any inquiry or inqueſt, they have taken divers inquiries, inqueſts of office, and indictments of labourers, craftſmen, and other divers things ordained by ſtatute to be inquired before juſtices and commiſſioners of peace, and that in no manner

county of Hereford.

Sheriffs turns.

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ner belong nor pertain to be inquired by ſuch ſheriffs in their turns, nor in any other place before them, and the which ſheriffs by force of ſuch inquiries, inqueſts of office and indictments not duly nor lawfully taken before the ſaid ſheriffs in their turns and without, and for the not coming of the ſaid liege people to the ſaid turns, the ſaid ſheriffs did take wrongfully to their proper uſe of divers of the ſaid liege people fines and amerciaments of x. li. and other great ſums, in great oppreſſion, undoing and deſtruction of many poor people of the ſaid lieges, if remedy ſhould not be haſtily provided in that behalf, by conſideration of which miſchief it was ordained by the authority of the ſaid parliament, That no ſheriff nor underſheriff of the ſaid county, from the ſaid *Friday*, then forward, by colour of his office, ſhould take any inquiry, inqueſt of office, or indictment in his turn, that ought not by the law to be taken in his turn, nor that he by colour of his office ſhould take any inquiry, inqueſt of office, or indictment in any other place after his turn holden and ended, nor that he ſhould take of any of the ſaid lieges of our ſovereign lord the King any fines or amerciaments for any thing or cauſe that do not belong to his turn or office, nor any ſuch heinous or grievous amerciament of any of the ſaid lieges againſt reaſon for default of coming to the ſaid turn or to other place, or for other cauſe by colour of his office, upon pain of forty pounds by him to be paid to our ſovereign lord the King, his heirs and ſucceſſors, as often as ſuch ſheriff or underſheriff thereof or of any article thereof be duly convict at the ſuit of our ſovereign lord the King, or of the party grieved that will ſue as well for the King as for himſelf. And that the party that will ſue in ſuch caſe have the half of the ſaid ſum, together with his double damages to his proper uſe. And that the party in this caſe grieved have power by the authority of the ſaid parliament to ſue in this behalf againſt ſuch ſheriffs and underſheriffs, as well for the King as for himſelf as before is ſaid. And that the juſtices of peace of the ſame county for the time being, have power and authority to inquire, hear and determine ſuch miſpriſions and offences, as well at the ſuit of our ſovereign lord the King as of the party that will ſue for the King and for himſelf. And that this ordinance indure for three years then next enſuing: Our ſovereign lord the King, conſidering the ſaid ordinance to be profitable for him and his people of the ſaid county, hath ordained by authority of this preſent parliament, that the ſaid ordinance ſhall ſtand in his force and effect for three years next enſuing.

CAP. VIII.

A confirmation of all ſtatutes made touching weights and meaſures.

1 H. 5. c. 10.

ITEM, *Whereas in the parliament holden at* Weſtminſter *the firſt year of King* Henry, *father of our lord the King that now is, it was ordained, That all the ſtatutes*

ITEM come en le parlement tenuz a Weſtm' lan premer de Roi *Henri* pier noſtre ſeignur le Roi quoreſt ordene fuiſt qe tous lez eſtatuitz

tuitz & ordenances dez meſures dez blees deuſſent eſtre fermement tenuz & garduz ſolonque lenfect dicells. Et qe null dez purvoiours de Roi nautre ne duiſſent en apres ne de celle temps enavaunt achater ne prendre aſcuns blees par autre meſure ſinon par viij. buſſelx raſez pur le quarter et qe null ſerroit tenuz autrement a deliverer pur le quarter ſinon viij. buſſelx raſez pur le quarter come devaunt eſt dit et auxint qe paiement ſerroit fait preſtement pur le cariage dicelles. Et qe ſi aſcun purveiour ou autre perſone dicelle temps enavaunt acchateroit ou purveroit aſcuns blees autrement ou par autre meſure ſinon viij. buſſelx pur le quarter come avaunt eſt dit & de ceo ſerroit atteint averoit lenpriſonement dun an & qil paieroit au Roi C. s. & a parte que ſe ſente greve autre C. s. & ceo atant dez foitz qe aſcune de ceux de ceo ſerroit atteint. Et qe la parte qe voudroit ſuer averoit ent action founduz ſur la cas. Et qe lez juſtices de la pees duiſſent avoir poair denquerer & plee tenere dez touz lez choſes avauntditz & ſur ceo de faire puniſhement ſibien al ſuit de Roi come de parte. Et qe de celle temps enavaunt riens ſerroit priz pur le meſurage dez tiels blees en aſcune manere. Et nient obſtant aſcuns ordenances & eſtatutz ſibien lez piſtours & tous autres marchantz & achaitours deins le franchiſes & cite de Londres come lez purveiours le Roi dez blees & touz autres marchauntz & communes achatours de blees. en pluſours citees villes burghes & countees dEngleterre continuelement de jour en autre achatent & pregnent noef

ſtatutes and ordinances made of meaſures of corn ſhould be firmly holden and kept after the effect of the ſame; (2) *and that no purveyors of the King, nor of other, ſhould not after that time forth buy nor take any corn or other meaſure, but by eight buſhels ſtriken for the quarter, and that none ſhould be bound otherwiſe to deliver for the quarter but eight buſhels ſtriken for the quarter, as before is ſaid*, (3) *and alſo that payment ſhall be made preſently for the carriage of the ſame*. (4) *And that if any purveyor of our lord the King, or of other perſon, from that time forward do buy or purvey any corn otherwiſe, or by other meaſure, than by eight buſhels ſtriken for the quarter, as before is ſaid, and of that be attainted, he ſhall have one year's impriſonment, and ſhall pay to the King an hundred ſhillings, and to the party that feeleth him grieved another hundred ſhillings*; *and that as often as any of them ſhall be thereof attainted*; (5) *and that the party that will ſue ſhall have thereof an action grounded upon the caſe*. (6) *And that the juſtices of peace ſhall have power to inquire and to hold plea of all the things aforeſaid, and thereupon to aſſign puniſhment, as well at the ſuit of the King as of the party*; (7) *and that from the ſame time forward nothing ſhould be taken for the meaſuring of ſuch corn in any manner*. (8) *And notwithſtanding the ſaid ordinances and ſtatutes, as well the bakers, and all other merchants and buyers within the franchiſe and city of* London, *as the King's purveyors of corn, and all other merchants and common buyers of corn in many other cities, towns, boroughs, and counties of* England, *continually from day to day, do buy and take nine buſhels for the quarter, that is to ſay, the bakers,*

A measure in London call'd the Fat.

kers, buyers, and merchants within the city and franchiſes of London, *by a veſſel called the* Fat, *which containeth eight buſhels of corn with another buſhel of corn put to that for a quarter, and make the ſellers of the ſame corn againſt their will to pay one halfpeny for the meaſuring of every quarter, and all the other purveyors, buyers, and merchants of corn, nine buſhels ſtriken for the quarter, againſt the form of the ſaid ordinance and ſtatute, and in contempt of our lord the King, for that the ſaid ordinances and ſtatutes be not proclaimed nor put in execution, nor the ſaid penalties and forfeitures, limited by the ſaid ſtatute, levied according to the effect of the ſame ſtatute.* (9) Our ſaid lord the King, willing the ſame ſtatute and ordinance to be duly holden and kept, by the aſſent and authority above ſaid, hath ordained, That as well the ſaid ſtatute, as the ſtatute of weights and meaſures, made at the parliament of our lord the King that now is, the eighth year of his reign, be proclaimed, as well in the city of *London*, as in all other cities, boroughs, and counties of *England*, and put in due execution after the form and effect of the ſame; (10) joining to the ſaid ſtatute made the ſaid eighth year, that in every city, borough, and town of the realm, there ſhall be a common buſhel ſealed, and according to the ſtandard of the exchequer, in the ſame manner and form, and upon the ſame pain, as in the ſame ſtatute is ſpecified, and a common balance to be in every ſuch city, borough and town. (11) And that the mayor of the ſaid city of *London*, and all other mayors of all other cities and boroughs of

noef buſſelx pur le quarter ceſtaſſavoir lez piſtours achatours & merchantz deins le fraunchiſes & cite de Londres par une veſſell appelle le fat que contient viij. buſſelx dez blees ove un autre buſſell myz a icell pur une quarter & fount lez vendours dez ditz blees encountre lour volunte de paier une maile pur le meſurage de cheſcun quarter & tous lez autres purveours achatours & merchantz dez ditz blees noef buſſelx raſez pur le quarter encountre la fourme dez ditz ordenances & eſtatuitz & en contempt du Roi a cauſe qe lez ditz eſtatuitz & ordenaunces ne ſount my proclaymez ne myz en execution ne lez ditz peynes & forfaitures par le dit eſtatuit limitez levez ſolonque lenfect de meſme leſtatut. Noſtre dit ſeignur le Roi voillant meſmes leſtatuit & ordenances eſtre duement tenuz & garduz par aſſent & auctorite ſuiſditz ad ordene qe ſibien les ditz eſtatuitz come leſtatuit dez poies & meſours faitz au parlement noſtre dit ſeignur le Roi quoreſt lan de ſon regne viij. ſoient proclaymez ſibien en la dite cite de Londres come en tous autres citees burghes & countes dEngleterre & myz en due execution ſolonque la fourme & lenfect dicelles adjouſtant a dit eſtatuit fait le dit an viij. qen cheſcun cite burgh ou ville du roialme ſoit une commune buſſell enſeale & accordant a leſtandard de leſchekker en meſme la manere & fourme & ſur meſmes les peines come en meſme leſtatuit eſt ſpecifie de une commune balaunce a eſtre en cheſcune tiel cite burgh ou ville. Et qe le mair de dit cite de Londres & tous autres mairs dez tous autres citees

A confirmation of the ſtatute of 1 H. 5. c. 10. & 8 H. 6. c. 5. touching weights and meaſures.

There ſhall be a common buſhel in every town. 11 H. 7. c. 4.

&

& burghs dEngleterre ou il y ad mair & tous baillifs dez citees & burghes ou mair neſt & tous juſtices du pees de cheſcun counte dEngleterre pur les temps eſteant eit & eient plein poair de mettre tous lez ſtatuitz & ordenances avauntditz en due execution & de oire & terminere tous lez defautes meſpriſions offenſes & treſpas encountre la fourme & lenfect dez ditz eſtatuitz & ordenances faitz ou affaires ou perpetrez ſibien al ſuit du Roi come de parte qen ceo cas ſe ſent greve et de cheſcun autre lieges du Roi qen celle parte voill ſuer pur le Roi et ceo ſibien par examination dez parties ou aſcune deux ſolonque la diſcretion dez ditz mairs baillifs & juſtices de peas come par iſſues a trier par inquiſitions duement apprendre & autres plees et proceſſes de la ley de la terre et qe ſibien la parte greve come cheſcun liege de Roi qui ſuer voill pur le Roi eit la ſuit en ceo cas a ſa volunte. Et qe celly qui iſſint ſoit atteint daſcune defaute meſpriſion offenſes ou treſpas fait encountre le dit eſtatuit fait le dit an premer paie a cely a qui ſute il ſoit atteint C. s. & lez coſtages reſonablez de ſa dit ſuit & au Roi autre C. s. Et qe ſibien le mair de Loundres pur le temps eſteant apres ceo qil ſoit eſluz mair & jure deins la dit citee a ſon premer venue a leſcheker devant le treſorer dEngleterre & lez barons de leſchekker noſtre ſeignur le Roi com cheſcune dez ditz autres mairs & baillifs en lours ſerementz affairez pur lours ditz offices ſoit charge & jure de faire garder & executer tous leſtatuitz ſuiſditz. Et qe tous lez mairs & baillifs dez citees & burghes du

of *England* where there is a mayor, and all bailiffs of cities and boroughs where there is no mayor, and all juſtices of peace in every county of *England* for the time being, ſhall have full power to put all the ſtatutes and ordinances aforeſaid in due execution, and to hear and determine all the defaults, miſpriſions, offences, and treſpaſſes againſt the form and effect of the ſaid ſtatutes and ordinances done, or to be done or committed, as well at the ſuit of the King, as of the party which in ſuch caſe feeleth himſelf grieved, and of any other of the King's liege people, which in this behalf will ſue for the King, and that as well by examination of the parties, or any of them, according to the diſcretion of the ſaid mayors, bailiffs, and juſtices of peace, as by iſſues to to be tried, by inquiſitions duly to be taken, and other pleas and proceſſes of the law of the land; (12) and that as well the party grieved, as any other liege man of the King, that will ſue for the King, ſhall have the ſuit in that caſe at his will; (13) and that he that is ſo attainted of any default, miſpriſion, offence, or treſpaſs done againſt the ſaid ſtatute made the ſaid firſt year, ſhall pay to him at whoſe ſuit he is thereof attainted, C s. and his reaſonable coſts of the ſaid ſuit, and to the King another C s. (14) And that as well the mayor of *London* for the time being, after that he is choſen mayor, and ſworn within the ſaid city, at his firſt coming to the exchequer before the treaſurer of *England*, and the barons of the King's exchequer, as every of the ſaid other

All mayors and bailiffs ſhall be ſworn to execute the foreſaid ſtat. touching weights and meaſures;

other mayors and bailiffs, in their oaths to be made for their ſaid offices, ſhall be charged and ſworn to do, keep, and execute all the ſtatutes above ſaid. (15) And that all the mayors and bailiffs of cities and boroughs of the realm, accomptable in the ſaid exchequer, do yearly accompt in the ſaid exchequer of the profits and forfeitures that may or ought to pertain to our lord the King by the form of the ſaid ſtatutes. (16) Saving alway to lords, cities, and boroughs, their liberties and franchiſes granted to them by our ſaid lord the King, or any of his progenitors, not revoked, repealed, or adnulled; (17) and ſaving always, That the ſaid ſtatute made the firſt year of King *Henry* the Fifth, and all other ſtatutes of meaſures and weights afore made, ſtand in their force.

du roialme accoumptantz en le dit eſchequer facent annuelment acompt en meſme leſchekker dez profettes & forfaitures que apperteigner puiſſent ou duiſſent a Roi par la forme dez ditz eſtatuitz ſavant tout foitz as ſeignurs cites & burghs loures libertees et fraunchiſes grauntez a eux par noſtre dit ſeignur le Roi ou aſcune dez ſez progenitours nient revokez repellez ou anientz et ſavant tous foitz qe le dit eſtatuit fait le dit an premer de Roi *Henry* quint & tous autres eſtatuitz des meſures & poies avaunt faitz eſtoient en lour force.

And account for the profits accrued to the King by the foreſaid ſtat.

CAP. IX.

Of what length and breadth cloths called Streits *ſhall be.*

Ex edit. Pulton.

17 R. 2. c. 2.

ITEM, Whereas a ſtatute made in the ſeventeenth year of King *Richard* the Second after the conqueſt, it was ordained, That every man of the realm might make and ſet to ſale and ſell cloths, as well kerſies as other, of ſuch length and breadth as him pleaſed, paying the aulnage, ſubſidy, and other devoirs, that is to ſay, of every piece of cloth after the rate, notwithſtanding any ſtatute, ordinance, proclamation, reſtraint or defence made to the contrary, (2) and that none ſell nor put to ſale any cloths before they be meaſured by the King's aulneger, and enſealed with the ſeal thereunto ordained, upon pain contained in the ſtatutes thereof made, (3) and after in ſtat. made in the ſeventh year of King *Henry* the Fourth, grandfather of the lord the King that now is, it was alſo ordained, That the cloth of colour ſhould contain in length eight and twenty yards meaſured by the back, and in breadth ſix quarters and a half; (4) and if the cloth-makers ſhould make their cloths of leſs length or breadth, they ſhould be forfeit to the King. (5) And after by another ſtatute made in the eleventh year of the reign of King *Henry* the Fourth, it was ordained, That proclamation ſhould be made openly through the realm, that no perſon making ſuch manner of cloths or dozens within the realm, ſhould be ſo hardy to tack and fold together ſuch manner of cloths before that the aulneger hath made his ſearch and ſurveying duly to the ſame cloths, that they hold their length and breadth, ordained by the ſaid laſt ſtatute made the ſaid ſeventh year as in the ſame ſtatute is more fully contained.

7 H. 4. c. 10.

11 H. 4. c. 6.

(6) Upon

(6) Upon which ſtatutes made in the time of the ſaid King *Henry* the Fourth, divers opinions have been holden in the King's exchequer, as the ſame our lord the King hath conceived by the complaint of the commons of his realm: (7) Our lord the King willing to repreſs ſuch opinions, of the aſſent and authority aboveſaid, hath declared, that this word (cloth) in the ſaid ſtatutes before rehearſed, ſhall have relation, and ſhall be underſtood of whole cloth called broad cloths and broad dozens, and not of other cloths and pieces of cloths called ſtreits, now made, or to be made. (8) And moreover hath ordained and ſtabliſhed, That every man may make, ſet to ſale, and ſell all manner of cloths called ſtreits, containing in length fourteen yards, and in the breadth one yard unwatered, or elſe twelve yards watered, without impeachment of any officer of the King's, paying to the King the aulnage, ſubſidies, cuſtoms and other devoirs, that is to ſay, of every cloth, and of every piece of cloth, after the rate contained in the ſaid ſtatutes. (9) And if the makers of the ſaid cloths called ſtreits, make any cloths to ſell of leſs length and breadth than next above declared, that then it ſhall be lawful to the aulneger to cut off the liſt at the one end of all ſuch ſtreit cloths, not containing the ſaid length, and the ſame to be ſold for a remnant for a piece, and not for a cloth: (10) And that no ſuch cloths be put to ſale until the aulneger hath meaſured them, made his ſearch, and put to them the King's ſeal thereto ordained, upon pain of forfeiture of the ſame. (11) And if any aulneger enſeal any ſuch cloths called ſtreits, not containing the length and breadth of the ſtreits aboveſaid, and cut not off the liſt of all ſuch cloths that do not hold the ſaid length and breadth of the ſtreits, that then the ſaid aulneger ſhall pay to the King for every piece of cloth ſo found defective, ſix ſhillings eight pence: (12) except always that all cloths called ſtreits, made or to be made, until the day of the nativity of St. *John the Baptiſt* next coming, ſhall have licence to be ſold and delivered until the feaſt of *Chriſtmas* then next enſuing, of whatſoever length and breadth they be.

How this word (cloth) ſhall be interpreted, and of what cloths it is meant in the ſtatute of 7 H. 4. c. 10. and 11 H. 4. c. 6. What length and breadth the cloths called ſtreits ſhall contain. 27 El. c. 18.

Cloths ſhall not be put to ſale until the aulneger hath meaſured them, and put a ſeal to them. The aulnegers penalty for ſealing of defective cloth. 5 & 6 Ed. 6. c. 6. 4 & 5 Ph. & M. c. 5. 4 Jac. 1. c. 2. 11 W. 3. c. 20.

CAP. X.

He ſhall find ſureties, &c. that ſueth to defeat an execution upon a ſtatute.

ITEM pur ceo qe diverſez perſones deinz ceſt roialme devaunt cez houres ſovent foitz ount eſte priz & areſtes par diverſes viſcountes & autres miniſtres de Roi par brefs iſſantz ſibien hors de chauncery de Roi come de ſez progenitours pur execution avoir de diverſez reconiſaunces faitz devaunt lez mairs de leſtaples de diverſez ſommes dez quex ſommes icells perſones as quex la

ITEM, *becauſe divers perſons within this realm in times paſt often have been taken and arreſted by divers ſheriffs and other officers of the King, by writs as well going out of the chancery of the King, as of his progenitors, to have execution of divers recogniſances made before the mayors of the ſtaple, of divers ſums, of which ſums ſuch perſons, to whom the duty belonged, had no convenient remedy, other than the ſaid*

executions; (2) *which perſons, ſo taken and arreſted for execution of the ſame recogniſances, be oftentimes brought by divers writs* De corpus cum cauſa *before the King in his chancery, out of priſons in the which they be ſo kept by force of ſuch executions, and there they do ſue, ſhewing forth divers indentures, and other things in defeaſance of ſuch recogniſances, deſiring writs of* Scire facias *to warn the party or parties at whoſe ſuit they be taken and arreſted, to* Cro. Car. 67. *anſwer thereunto*; (3) *and thereupon, by ſurety found to the King in the chancery, have been delivered out of priſon, notwithſtanding their ſaid arreſt for the execution of ſuch recogniſances, as above is ſaid, no ſureties found to the recogniſees to whom they be ſo bound to ſatisfy them of their duties, in caſe that the matters compriſed within the ſaid writs of* Scire facias *be not found nor adjudged for the recogniſors thereby bound*; (4) *whereby the ſaid recogniſees have been ſometime greatly delayed of their execution, and ſometime their execution utterly loſt, and in time to come likely to be loſt, for that no advantage nor avail thereof might come, be, or accrue to the ſaid recogniſees to whom ſuch perſons be ſo bound by the ſaid ſurety ſo bound to the King, ſeeing the ſame perſon ſo bound may by the King's pardon be acquit and diſcharged for ever.* (5) *Our lord the King conſidering that the ſaid recogniſees, to whom perſons be bound, are oftentimes without remedy, if ſo be that the ſaid recogniſors would not purſue forth their ſaid writs of* Scire facias *with effect*; *or otherwiſe, that the matters of the ſaid writs of* Scire facias *be found or adjudged againſt them, and thereupon they withdraw them to places privileged,*

duite appent nount remedie covenable autre qe lez ditz executions lez quex perſones enſi priſez & areſtuz pur lexecution de meſmes lez reconiſaunces ſount ſovent faitz venir par diverſez brefs de Corpus cum cauſa devaunt le Roi en ſa chauncery hors dez priſones es quex ils ſount iſſint detenuz a cauſe de tiel execution & illoqes ſuent en monſtrantz diverſez endentures & autres choſes en defaiſaunces de tiel reconiſances enpriſantz bref de Scire facias de garnier la partie ou lez parties a qui purſuit ils ſount enſi priſez & areſtuz a reſpoundre ſur icelles. Et ſur ceo ſuerte trove au Roi en ſa chauncery ount eſte deliverez hors du priſone nient obſtant lour de areſte pur lexecutions dez tielx reconuſaunces come deſuis eſt dit nulle trovez as reconuſez as quex ils ſount iſſint obligez de eux ſatefier dez lours duetees en cas qe lez maters compris deinz lez ditz briefs de Scire facias ne ſoient trovez ne adjuggez pur lez reconuſfours enſi obligez parount lez ditz reconuſeez ount aſcun foitz graundement eſte delaiez de lour execution & aſcun foitz lour execution ent toutoutrement perduz & en temps avenir veriſemblablement a perdre a cauſe qe null avantage ou availl ent purra venir eſtre ou acreſere as ditz reconuſez as quex tiels perſones ſount iſſint obligez par la dit ſuerte enſi trovez au Roi pur ceo qe meſmes les perſones iſſint obligez par pardon de Roi purrount eſtre quitez & diſchargez par touts jours. Noſtre ſeignur le Roi conſiderant qe lez ditz reconuſez as quex perſones ſount obligez ſovent foitz ſount ſanz remedie ſi enſi ſoit qe meſmes lez re-

co-

conſours nemy voillont purſuer avaunt les ditz brefs de Scire facias oveſque effect ou autrement qe le matere de lour ditz briefs de Scire facias ſoit trove ou adjugge countre eux & ſur ceo ils ſoy retraihent as lieus privileggez ou eux aloinent hors du roialme ou autrement qils ne my appergent iſſint qe lour corps puiſſent eſtre myz en execution a treſgraunde arrerifement & anientiſement dez tielx reconuſez en temps aveigner. Et auxi pur ceo qe le Roi eſt enheriteez de la priſez de tielx ſuertees a luy meſmes par la cours de ſa chauncery le Roi voet qe tiels ſuertees deſore en avaunt ſoient faitz ſeveralment ſibien a Roi come a parte.

leged, or cleign them out of the realm, or elſe they would not appear, ſo that their bodies might be put in execution; to the great hindrance and undoing of ſuch recogniſees in time to come; (6) *and alſo becauſe that the King is inherited of the taking of ſuch ſureties to himſelf by the courſe of the chancery;* (7) the king doth will that from henceforth ſuch ſureties be made as well to the King as to the party.

He ſhall find ſurety to the King and to the party that ſueth to defeat an excution upon a ſtatute ſtaple.

CAP. XI.

The puniſhment of thoſe that make aſſault upon any that come to the parliament.

ITEM le Roi voillant purvoier pur la eſe & tranquillite de eux qui viendront as parlementz ou conſels du Roi de ſon commaundement ad ordeigne & eſtable qe ſi aſcune aſaut ou afray ſoit fait a aſcune ſeignur eſpirituel ou temporel chivaler de counte citezin ou burgeis venuz au parlement ou a counſeill du Roi par ſon commaundement & la eſteant & entendant a parlement ou a counſeill qadonqes ſoit proclamation fait par trois jours ſeveralx en le pluis overt lieu de la ville ou laſſaut ou affaire ſerra enſi fait qe la parte qui face tiel affraye ou aſſaute ſoy rende devaunt le Roy en ſon banke deins une quarter dune an apres la proclamation fait ſil ſoit el temps du terme ou autrement al proſchein jour en le temps du terme enſuant le dit quarter et ſil ne face qil ſoit atteint de la fait ſuiſdit & paie al parte greve ſez damages a double a taxer par la diſcretion dez juſtices du dit bank pur le temps

ITEM, the King willing to provide for the eaſe and tranquility of them that come to the parliaments and councils of the King by his commandment, hath ordained and ſtabliſhed, That if any aſſault or affray be made to any lord ſpiritual or temporal, knight of the ſhire, citizen or burgeſs, come to the parliament, or to other council of the King by his commandment, and there being and attending at the parliament or council, that then proclamation ſhall be made in the moſt open place of the town by three ſeveral days, where the aſſault or affray ſhall be made, that the party that made ſuch affray or aſſault yield himſelf before the King in his bench within a quarter of a year after the proclamation made, if it be in the time of the term, or otherwiſe at the next day in the time of the term following the next quarter; (2) and if he do not, that he be attainted of the ſaid deed,

The puniſhment of ſuch as do make aſſault upon any that come to the parliament, or other council of the King, &c.

deed, and pay to the party grieved his double damages, to be taxed by the diſcretion of the juſtices of the ſame bench for the time being, or by inqueſt, if it be needful, and make fine and ranſom at the King's will; (3) and if he come, and be found guilty by inqueſt, by examination, or otherwiſe, of ſuch affray or aſſault, then he ſhall pay to the party ſo grieved his double damages found by the inqueſt, or to be taxed by the diſcretion of the ſaid juſtices, and make fine and ranſom at the King's will, as above is ſaid.

temps eſteant ou par enqueſt ſil boſoigne & face fyn & raunceon a la volunte de Roi. Et ſil veigne & trove ſoit coupable par enqueſt par examination ou en autre maner de tiel affaire ou aſſaute paie il adonqes a parte enſi greve ſez damages a double trovez par enqueſt ou a taxer par la diſcretion dez ditz juſtices & face fyn & raunceon a la volunte du Roi come deſuis eſt dit.

5 H. 4. c. 6.

CAP. XII.

What wax-chandlers ſhall take for their work of wax.

Ex edit. Pulton.

ITEM, our ſaid lord the King hath conceived by the complaint of the ſaid commons, That the wax-chandlers in divers parts of *England*, ſell candles, images and figures, and other works of wax made for offerings, after the rate of a pound of wax for ij s. and more where one pound of wax is no more worth then vj d. whereby they gain in every pound of wax ſo wrought xviij d. and more, by which means divers of the people be defrauded of their good intent and devotion, ſuppoſing ſuch candles, images and figures, and other works to be of reaſonable value, according as they pay for the ſame, where they be of none or little value: (2) And therefore our lord the King, willing for ſuch deceit to provide remedy convenient, hath ordained and eſtabliſhed, That no perſon ſhall ſell, nor put to ſale any ſuch candles, images, figures and other works of wax, at more higher price, but only after the rate of the price of iij d. more in the weight of a pound over that the common price of a pound of plain wax is between merchant and merchant at the time of ſuch ſale or putting to ſale, upon pain to forfeit ſuch candles, images, figures and other works of wax ſo put to ſale, and the value of them that ſhall be ſold againſt the form of this ſtatute, and to make a fine to the King, if they be thereof duly attainted, or that it be found by examination, or due ſearch by weights, or in other manner, that they have ſold or put to ſale any ſuch candles, images, figures, or other works of wax againſt the form of this ſtatute. (3) And that the juſtices of peace in every county where they be juſtices, ſhall have power to enquire hear and determine all things done againſt this ſtatute: (4) And that as well every juſtice of peace in the county where he is juſtice, as mayors and bailiffs within the cities and boroughs, ſtewards of lords within the franchiſes of their lords, ſhall have power and authority to examine and ſearch as well by weights of ſuch candles, images, figures, and other works of wax, as in other manner by their diſcretion, all them

How much waxchandlers may take for the work of a pound of wax more than the wax is worth.

Juſtices of peace, mayors chief officers and ſtewards may examine and puniſh offenders.

them that any thing ſhall hereafter do againſt this ſtatute, and to puniſh them that by ſuch examination or ſearch ſhall be found guilty in the form aboveſaid. (5) Provided that this ſtatute do not extend to hearſes to be made for nobles that do die. Rep. 21 Jac. 1. c. 28.

CAP. XIII.

A confirmation for three years of the ſtat. of 8 Hen. VI. *c.* 18. *that wool,* &c. *brought to* Calais *ſhall be ſold for ready money.*

ITEM, our ſaid ſovereign lord the King, for the wealth of him and his realm, by the advice and aſſent of the ſaid lords, and at the ſpecial requeſt of his ſaid commons, hath ordained: That the good ordinance and ſtatute made the viii. year of his reign, that is to ſay, that the wools and woolfels and tin, repairing and coming to the ſtaple of *Calais*, ſhall be ſold for ready money to be paid in hand. And that the bullion be brought in his mint there, that is to ſay, of every ſarpler of wool ſold for twelve marks and above, vi. pound of bullion, and of every ſarpler of wool ſold under twelve marks. v. pound of bullion. And that lawful and due partition be made, according to the ordinance there at this time, to endure from the feaſt of the Annunciation of our Lady next to come, till the end of three years then next enſuing. Saving always to our ſovereign lord the King power and authority to modify the ſame ſtatute when him pleaſe, by the advice of his council, as it ſhall ſeem beſt to him for the profit of him and of his realm.

Ex edit Raſt.

Wools, woolfels, and tin.

Bullion.

CAP. XIV.

It ſhall be felony to ſhip or carry any merchandiſes of the ſtaple in creeks, during three years.

ITEM, whereas the cuſtoms and ſubſidies granted to our ſovereign lord the King be alloigned and withdrawn, as well for lack of good ſearch in the ports and creeks within the realm of *England*, as by other crafty imaginations of divers perſons, carrying merchandiſes of the ſtaple of *Calais* againſt the form of the ſaid ſtatutes thereof provided and ordained. Our ſovereign lord the King, by the advice and authority aboveſaid, hath ordained and ſtabliſhed, That none upon pain of felony bring, carry, or ſhip, nor cauſe to be brought, carried, nor ſhipped, any ſuch merchandiſes of the ſtaple in any creeks within his realm of *England*, againſt the ordinance aboveſaid. And this ſtatute to endure till the end of three years next enſuing and no longer.

Merchandiſes of the ſtaple.

CAP. XV.

A cuſtomer ſhall diſcharge the merchant that hath paid his cuſtom.

ITEM pur ceo qe noſtre ſeignur le Roi par une petition a luy baillie en meſme le parlement par lez communes dicell

ITEM, *for that our lord the King, by a petition to him delivered in the ſame parliament, by the commons of the ſame, for the*

the merchants of the realm, hath perceived, That ſeeing the cuſtomers and controulers in the King's ports do not write any warrants in diſcharge of the ſaid merchants of their merchandiſes by them ſhewed and duly cuſtomed, ſome as well coming into the realm, as paſſing out of the ſame, the ſame cuſtomers and controulers do embezzle the King's cuſtoms, and the merchants be greatly hindered, becauſe that the warrants might plainly ſhew and declare their due cuſtom, when they be unduly impeached in the King's exchequer: (2) the ſame our lord the King conſidering the ſaid deceits by the advice, aſſent, and authority aboveſaid, hath ordained, That the ſaid cuſtomers and controulers ſhall write and deliver ſufficient warrants, ſealed with the ſeal of their office to that ordained, to the ſaid merchants, and to every of them, for all and every of their merchandiſes every time by them to the cuſtomers and controulers duly ſhewed; (3) and that the ſaid merchants, nor any of them, ſhall any thing pay for the ſaid warrants, but only their due cuſtom. (4) And in caſe that any cuſtomer or controuler, in any of the ſaid ports, do the contrary, that then every merchant ſo grieved may have an action, by virtue of this ordinance, to purſue againſt every cuſtomer or controuler that doth the contrary in every court of record; (5) and then every cuſtomer or controuler ſo attainted ſhall forfeit to the King for every default ten pounds, and to the merchant thereby grieved, that will ſue, a hundred ſhillings.

A cuſtomer or controuler ſhall make a warrant to diſcharge a merchant that hath paid his cuſtom.

dicell pur le marchauntz du roialme ad entendu qe pur tant qe lez cuſtomers & countrollours en lez portes du Roi neſcrivent aſcuns garraunts en diſcharges des ditz merchauntz de lour merchandiſes par eux monſtrez & duement cuſtomez aſcuns ſibien veignauntz en le roialme come paſſantz hors dicelle meſmes lez cuſtomers & countroullours embeſilent les cuſtumes du Roi & lez ditz merchauntz ſount graundement anientiſez a cauſe qe lez ditz garauntz purroient overtement declarer & monſtrer lour due cuſtome quant ils ſount ſovent nonduement enpechez en leſchekker du Roi. Meſme noſtre ſeignur le Roi conſiderant lez ditz diſſeites de lavis aſſent & auctorite ſuiſditz ad ordeine qe lez ditz cuſtomers & controilours eſcrivent & deliverent ſufficiantz garantz enſelez oveſqe le ſeal de lour office a ceo ordeinez as ditz merchauntz & a cheſcun de eux pur tous & cheſcune de lour merchandiſes cheſcun foitz par eux as ditz cuſtomers & controllours duement monſtrere meſmes lez merchantz ne null de eux rien paiant pur lez ditz garrantz mes ſolement lour due cuſtome. Et en cas qe cheſcun cuſtomer ou countrollour en aſcune des ditz pointes face le contrarie qadonqes cheſcun marchant enſi greve poet avoir action par vertue de ceſte ordenance a purſuer envers cheſcun cuſtomer ou controllour qi face le contrarie en cheſcune court de recorde & adonqes cheſcun cuſtomer & controllour iſſint atteint puiſe forfaire au Roi pur cheſcun defaute x. li. & a le merchant enſi greve qi voill ſuer C. s.

CAP.

CAP. XVI.

The penalty for ſealing of a blank cocket to deceive the King of his cuſtoms.

Ex edit. Raſt. Cuſtomers. Blank cockets.

ITEM, foraſmuch as our moſt redoubted ſovereign lord the King is greatly deceived of his cuſtoms and ſubſidies, of that the cuſtomers of the ſaid ports within the realm do ſeal blank ſcrowls in parchment, called Blank cockets, with their ſeals deputed to their offices, and them ſo ſealed do deliver to the merchants, for to enter and write in them their goods and merchandiſes going out of the realm to the parts beyond the ſea, the King not anſwered nor payed of his cuſtoms and ſubſidies of ſuch goods and merchandiſes. It is ordained, by the advice and authority aforeſaid, That if any cuſtomer ſeal any ſuch blank ſcrowl with the ſeal aſſigned to his office, or if any merchant enter or write, or cauſe to be entered or written in ſuch blank ſcrowl or charter ſo ſealed, his goods or merchandiſes, thereby to defraud our ſovereign lord the King of his cuſtoms and ſubſidies, then as well the ſame cuſtomer as the merchant ſhall be judged to forfeit all his goods and chattels, as they ſhould forfeit in caſe of felony. And that they and every of them ſhall have the impriſonment of three years. And this act ſhall endure by three years next enſuing after the feaſt of St. *Hillary* next coming.

Statutes made at *Weſtminſter*, *Anno* 14 HEN. VI. and *Anno Dom.* 1435.

NOSTRE ſeignur le Roi *Henry* le ſiſme apres le conqueſt a ſon parlement tenuz a Weſtm' le xe jour dOctobre lan de ſon regne qatorſziſme de ladvis & aſſent des ſeignurs eſpirituelx & temporelx & a la eſpeciale requeſt des communes du roialme en meſme le parlement eſteantz ad fait faire diverſes eſtatutes & ordinances a lonour de Dieu & le bien de luy & ſon dit roialme en la forme enſuant.

OUR *lord the King* Henry *the Sixth after the conqueſt, at his parliament holden at* Weſtminſter *the tenth day of* October, *the fourteenth year of his reign, by the advice and aſſent of the lords ſpiritual and temporal, and at the ſpecial requeſt of the commons of the realm, being in the ſame parliament hath cauſed to be made divers ſtatutes and ordinances, to the honour of God, and for the wealth of him and his realm, in the form following.*

CAP. I.

Juſtices of Niſi prius *may give judgment of a man attainted or acquitted of felony.*

EN primes noſtre dit ſeignur le Roy ad ordeine par auctorite del dit parlement qe les

FIRST, our lord the King hath ordained, by the authority of the ſaid parliament 13 Ed. 1. ſtat. 2. c. 30.

The juſtices of Niſi prius have authority to give judgment as well where one is attainted of treaſon or felony, as where he is acquitted.

ment, That the juſtices before whom inquiſitions, inqueſts, and juries, from henceforth ſhall be taken by the King's writ called *Niſi prius*, according to the form of the ſtatute thereof made, ſhall have power of all the caſes of felony and of treaſon, to give their judgments as well where a man is acquit of felony or of treaſon, as where he is thereof attainted, at the day and place where the ſaid inquiſitions, inqueſts and juries be ſo taken, and then from thenceforth to award execution to be made by force of the ſame judgments.

les juſtices devaunt queux inquiſitions enqueſtes & jurres enavaunt ſoient priſez par brief du Roi de Niſi prius jouſt la forme de leſtatut ent fait eient poair en toutz caſez de felonie & treſon de rendre lour juggement ſibien lou homme eſt acquite de felonie ou de treſon come lou il eſt ent atteint a jour & lieu ou les ditz inquiſitions enqueſtes & jurres iſſint ſoient priſes & adonqes illeoqes de agarder execution de eſtre fait par force de meſmes les jugementz.

Dy. 120.

CAP. II.

Wools and fells ſhall not be exported but to Calais. *Special exceptions in favour of the King, and his council, and the merchants of* Venice, Genoa, &c.

Ex edit. Raſt. Wools. Woolfels.

ITEM, foraſmuch as the great number, quantity, and ſubſtance of the wools growing in the realm of *England*, by theſe three years paſt by ſhip, and in great jeopardy and doubt come to the town of *Calais*, there to be ſold for ready money, whereof it behoveth the ſaid merchants ſellers to receive upon

Bullion.

every ſarpler a certain of bullion, to be brought to the King's mint at *Calais*, the which ready money and bullion after that they be forged and coined, and received by the ſaid merchants ſellers, ought duly and equally to be diſtributed and departed to every one after his portion, to be ſent into this realm, for the increaſe and univerſal weal of the ſame, by virtue of certain ſtatutes made in the parliament holden at *Weſtminſter* the eighth year of our ſovereign lord the King, and renewed in the parliament holden the eleventh year of his reign, which ſtatutes be ſtraitly obſerved and kept, as by ſuch perſons, which by undue means do ſhip wools in the creeks and other ſuſpicious places, and alſo in divers ports of the realm, and them

Calais.

carry to other places than to *Calais*, and alſo by ſuch perſons, which in derogation of the univerſal weal of the realm, and in deſtruction of the good ordinance of partition, and in abatement of the price of wools, do purchaſe licences for their ſinguiar avail to ſhip wools to *Calais*, there to be ſold before all other wools there being, and be not bound to keep the price, nor to receive no bullion, nor to make partition nor diſtribution of their money, in manner as all merchants of *England* there repairing be ſtraitly bound to keep, do by ſtatute aforeſaid, by reaſon whereof the ſaid merchants by the means and

Staple.

licences aforeſaid be in point to be deſtroyed, the ſaid ſtaple to be

be diſſevered and deſtroyed, and conſequently the ſaid town of *Calais*, which by the ſaid ſtaple hath hitherto been greatly maintained and inforced, is like to be undone and loſt, and the ſaid realm in point to be greatly hindered and hurt, as the ſame our ſovereign lord the King hath conceived by the grievous complaint to him made in the ſame parliament by the commons of the ſame: therefore the ſame our ſovereign lord the King, willing for the ſame in this caſe to provide a remedy, by the advice of the ſaid lords ſpiritual and temporal, and at the ſupplication of the ſaid commons, hath ordained in the ſame parliament, that no ſuch licence, which is ſo prejudicial and contrary to the common and univerſal weal of his realm, and of his ſaid merchants, and in deſtruction of the ſaid town, and the ſaid ordinance or partition, and of the price of the wools, ſhall in no wiſe be granted. And that every man which ſhippeth, or doeth to be ſhipped any wools or woolfels, to carry them over the ſea in any wiſe, ſhall repair with the ſame to *Calais*, and there diſcharge and ſell the ſaid wools and woolfels, after the tenour of the ſaid ſtatutes, and after the good rule and ordinance of the ſaid ſtaple, in maintenance and ſuſtentation of the ſame, relief and increaſe of the ſaid town of *Calais*, and for the public weal of this his realm of *England*. Saving always to our ſovereign lord the King, power and authority, to modify the ſame ſtatute when it ſhall pleaſe him, by advice of his council, according as to him beſt ſhall ſeem for the profit of him and of his realm of *England*. Saving alſo to the merchants of *Genoa*, *Venice*, *Tuſcany*, *Lombardy*, *Florence* and *Catalonia*, and alſo the burgeſſes of *Berwick* upon *Tweed*, the liberties to them granted by a ſtatute heretofore, and to all other the King's liege people the benefit of licence to them granted by the King by the advice of his council. 23 H.6. c.6.

CAP. III.

Where the juſtices of aſſiſe of Cumberland *ſhall hold their ſeſſions.*

ITEM come par eſtatut fait en temps le Roi *Richard* ordine ſoit qe les juſtices daſſiſes prendre & gaoles deliverer aſſignez & aſſigners teignerent lour ſeſſions en les principalx & chiefs villes des ſingulers countees ceſtaſſavoir la ou les countes dicelles countees alors fuerent ou delors ſerroient tenuz noſtre ſeignur le Roi voillant meſme leſtatut en le countee de Cumberland eſtre obſervez & gardes conſiderant qe la citee de Cardoill eſt la principal & chief citee & ville du dit coun-

ITEM, *whereas by a ſtatute made in the time of King* Richard *the Second, it was ordained, That the juſtices aſſigned, and to be aſſigned, to take aſſiſes and deliver gaols, ſhall hold their ſeſſions in the principal and chief towns of every county, that is to ſay, where the ſhire-courts of the counties heretofore were, and hereafter ſhall be holden*; (2) *our lord the King willing the ſame ſtatute to be obſerved and kept in the county of* Cumberland, *conſidering that the city of* Carliſle *is the principal and chief city and town* 6 R.2.c.5.

The juſtices of the aſſiſe, &c. of the county of Cumberland, ſhall hold their ſeſſions at Carliſle.

town of the ſaid county, and in the which the ſhire court of the ſame county hath been holden before this time; hath granted and ordained, by the authority of the ſame parliament, That the ſeſſion of the juſtices to take aſſiſes and to deliver gaols in the county of *Cumberland*, be holden in time of peace and of truce, in the ſaid city of *Carliſle*, and in none other place within the ſame county, as it hath been uſed and accuſtomed of old time.

countee & en la quelle la counte de meſme la countee ad eſtee tenuz devaunt ces hoeures ad graunte & ordine par auctorite de meſme le parlement qe la ſeſſion des juſtices daſſiſes prendre & de gaoles deliverer en le dit countee de Cumberland ſoit tenuz en temps de pees & des trieux en la dite citee de Cardoill & en null autre lieu ou place deins meſme le countee come il ad eſtee uſe & accuſtume dauncien temps.

CAP. IV.

The juſtices of the peace of Middleſex *may keep their ſeſſions but twice in the year.*

2 H. 5. c. 4. ITEM, *whereas it was ordained by a ſtatute, That the juſtices of peace of all the counties of* England *for the time being, ſhall ſit and hold their ſeſſion four times by the year, to inquire and execute all charges contained in their commiſſion, which they be ſworn to do according to the form of the ſaid ſtatute, upon a great pain, as by the ſame ſtatute more fully appeareth*: (2) *our lord the King, conſidering that all the high courts be ſet and holden in the county of* Middleſex, *continually during all the four times of the term, by which times of term the commons inhabiting in and of the ſame county, muſt attend from time to time to inquire of all the articles to the ſaid courts belonging, as reaſon and law requireth, and that preſently after every of the ſaid terms ended, the ſaid juſtices of the ſaid county do ſit and hold their ſeſſions in the ſame county, as they ought to do, by force of the ſaid ſtatute, more to avoid the ſaid penalty, than for any other neceſſary thing there to be inquired, at which ſeſſions they cauſe to come before them a great part*

ITEM come ordine ſoit par eſtatut qe les juſtices de pees de toutz les countees dEngleterre pur le temps eſteantz ſeiront & tiendront lour ſeſſions quatre temps par an pur enquerrer & executer toutz charges contenuz en lour commyſſion le quell ils ſount jurrez de faire ſolonc la forme du dit eſtatut ſur graunde peine ſicome par meſme leſtatut pluis pleinement appiert. Noſtre ſeignur le Roi conſiderant qe toutz ſes hautz countes ſount aſſiz & tenuz en le countee de Midd' continuelment durantz toutz les quatre temps de terme par les quelx temps de terme les communes & enhabitantz en & de meſme le counte coviendront entendre de temps en temps denquerrer toutz les articles as ditz courtes appurtenantz come reaſon & ley requiront & qe maintenaunt apres cheſcun des ditz termes fines les ditz juſtices du peas du dit countee de Midd' ſeiont tiegnent lour ſeſſions in meſme le countee come ils deuſſent faire par force du dit eſtatuit

ſtatuit pluis pur eviter la dit peine qe pur aſcun autre choſe neceſſarie illeoqes deſtre enquis a les quelles ſeſſions ils fount faire venir devaunt eux graunde partie des enhabitantz & communers du dit countee de Midd' pur enquerrer des toutz maners des choſes come lour ſount donez en charge & iſſint ils ſount vexez & chargez parmye tout lan ſibien hors le temps de terme come en le temps de terme ſi qe ils nount aſcun repoſe ne temps de faire lour huſbandriez & lour labour pur lour vivre en aſcun maner gayner a lour final deſtruction ſils ne ſoient ſuccurrez en celle partie. Et voillant purtaunt meſme noſtre ſeignur le Roi en ceo cas lour purvoier de remedie ad ordine par advis & aſſent ſuiſditz & a la requeſt des ditz communes du roialme qe les juſtices du peas qore ſount & toutz autres pur le temps deſore eſteantz en le dit countee de Midd' ſoient tout outrement diſchargez de la dite peine par auctorite de meſme le parlement a toutz temps deſore avenirs la court du bank le Roi eſteant ſeant en le dit countee de Midd'. Purveu toutz foitz qe les ditz juſtices du peas del dit countee de Midd' pur le temps eſteantz gardent obſervent & executent la courte des ſeſſions du peas deux foitz en lan au meyns & pluſours de temps ſil boſoigne par aſcun riote ou forcible entre fait deins meſme le countee de Midd' & ceo ſur le peine & forfaiture de tielx ſummes come ſount pur ceo ordinez par aſcun le fait devaunt ces hoeures au fyn & entent qe les ditz communes & enhabitantz del dit countee de Midd' ne ſoient artes

part of the inhabitants and commons of the ſaid county of Middleſex, *to inquire of all manner of things as to them is given in charge; and by that means they be charged and vexed throughout all the year, as well out of the time of term, as in time of term, ſo that they have no reſt, nor time to do their huſbandry and their labour, to get their living in any wiſe, to their utter undoing if they be not relieved in this behalf.* (3) Therefore the ſame our lord the King willing in this caſe to provide for them a remedy, hath ordained by the advice and aſſent aforeſaid, and at the requeſt of the ſaid commons of the realm, That the juſtices of peace which now be, and all other hereafter for the time being, in the ſaid county of *Middleſex*, ſhall be clearly diſcharged of the ſaid penalty, by authority of the ſame parliament, from henceforth, the court of the King's bench being ſet in the ſaid county of *Middleſex*. (4) Provided always, That the ſaid juſtices of the peace of the ſaid county of *Middleſex*, for the time being, keep, obſerve, and execute the court of the ſeſſions of the peace, two times in the year at the leaſt, and more often if need be, for any riot or forcible entry made within the ſame county of *Middleſex*, and that upon the pain and forfeiture of ſuch ſums as be for that ordained by any law made before this time: to the end and intent that the ſaid commons and inhabitants of the ſaid county of *Middleſex* be not inforced nor compelled to appear before the juſtices of peace of the ſame county for the time being, but

The juſtices of the peace in Middleſex ſhall keep their ſeſſions but twice in the year, ſaving to inquire of riots or forcible entries.

at

at ſuch time which ſhall ſeem by the diſcretions of the ſame juſtices of peace neceſſary and behoofeful.

artes ne compelles pur apparer devaunt les juſtices du peas de meſme le countee pur le temps eſteantz forſqe a tiel temps qi ſembleront par les diſcretions de meſmes les juſtices du peas neceſſaries & boſoignables.

CAP. V.

Merchandiſes of the ſtaple ſhipped in creeks ſhall be forfeited to the King, &c.

Ex edit. Pult. ITEM, it was ſhewed to our lord the King by the commons of the ſame parliament, That as well becauſe of undue ſearch made in the ports and creeks within the realm upon divers perſons, which by ſubtil imaginations and means do ſhip wool and woolfels, and ſeveral other merchandiſes which ought to repair to the ſtaple of *Calais*, and them carry and convey to divers other parts beyond the ſea, without paying cuſtom, againſt the tenor of the ſtatute thereof made and ordained, by the which means the cuſtoms and ſubſidies granted to the King be greatly impaired and decayed: (2) it was ordained by the King and all the lords ſpiritual and temporal, and the commons in this preſent parliament holden at *Weſtminſter*, the eleventh year of our lord the King that now is, that none upon pain of felony, ſhould carry nor ſhip any ſuch merchandiſes in the ſtaple in the creeks within the ſaid realm againſt the ordinance aforeſaid: (3) nevertheleſs, divers perſons having no fear of the ſaid ſtatute, cuſtomably ſhip as well in the ports as in the creeks aforeſaid, by undue means, great value of wools, woolfels, and of other merchandiſes of the ſtaple, and them carry into *Flanders*, *Holland*, *Zealand*, *Brabant* and *Normandy*, without paying any cuſtom for the ſame; (4) and moreover, divers perſons do ſhip cuſtomably wools and woolfels, in divers parts of the realm of *England*, which be cocketed and accuſtomed to go to *Calais*, and come not there, but the ſame wools and woolfels carry into other parts aforeſaid, contrary to the ſtatute thereof ordained, by the which untrue means the King is greatly endamaged and defrauded of his cuſtoms and ſubſidies, and the ſaid ſtaple within ſhort time in point to be clearly deſtroyed, the town of *Calais* impoveriſhed and decayed, and the realm not increaſed: (5) our lord the King conſidering the premiſſes, hath ordained by the ſtatute aforeſaid, That all the wools and woolfels, and all other merchandiſes which by ſtatute ought to repair to the ſaid ſtaple, found in any creeks, ſhipped contrary to the ſaid ſtatute and ordinance, ſhall be forfeit to our lord the King: (6) and moreover, that every perſon whatſoever he be, which at any time ſhall ſhip or cauſe to be ſhipped any manner of wools, woolfels, and other merchandiſes to go to the ſtaple aforeſaid, and come not there, ſhall forfeit as much goods as the wools, woolfels, and other merchandiſes

All merchandiſes of the ſtaple ſhipped in creeks, ſhall be forfeited to the King.

diſes by them ſo ſhipped and carried to other places than to *Calais* do amount, by extent after the very value, (except the merchandiſes which be to be excepted to paſs by the King's licence to other places.) Reſerved always to the King the whole moiety of ſuch forfeitures, which be cocketted and accuſtomed to go to *Calais*, and come not there, as afore is ſaid; and to them which find and ſeiſe the merchandiſes, the other moiety, without any diminution or abatement. (7) And if any perſon take any wools, woolfels, or any other merchandiſe of the ſtaple, in any ſuſpicious place adjoining to the water-ſide, in whatſoever place that it be, and no indenture thereof made betwixt him and the mayor, bailiff or conſtable of the town in the which ſuch wools, woolfels, and other merchandiſes of the ſtaple, be ſo layed, that then the ſame wools, woolfels, and merchandiſes be forfeit; (8) and that the King have one moiety of all ſuch forfeitures, and the lords of the town where ſuch merchandiſes be ſo layed, and he which them find and ſeiſe, the other moiety to be equally divided betwixt them. (9) And every man ſhall have power by authority aforeſaid to make ſearch in every place for ſuch goods of the ſtaple ſo carried or ſhipped, or laid to be ſhipped, as afore is ſaid, without impediment or diſturbance of any perſon. 11 H.6.c.14.

Merchandiſes laid in ſecret places by the water-ſide to be tranſported, ſhall be forfeited.

CAP. VI.

None ſhall diſturb an alien that bringeth in victuals to ſell in groſs, or by retail.

ITEM noſtre ſeignur le Roi enformez par les ditz communes coment en leſtatuit fait lan vje le Roi *Richard* nadgairs Roi dEngleterre ſeconde ordine & accorde eſtoit qe cheſcun forein & alien eſteant del amiſtee du Roi & du roialme & veniant deins la citee de Lounres & autres citees burghs & villes deins le dit roialme ſibin deins fraunchiſe come dehors oveſqe peſſon & autres vitailles qeconqes illeoqes demurantz & retournantz ſerroit deſlors de ſoubz le ſauf garde & eſpecial protection du Roi & qe bien liſe a eux & a cheſcun de eux qils puiſſent trencher peſſon & vitailx ſuiſditz par peces & a tail & a retaill en partie ou en tout ou en gros come meulx lour ſemblera vendre & lour profit faire ſaunz empechement ou contre

ITEM, *our lord the King is informed by the ſaid commons, how in the ſtatute made the ſixth year of King* Richard *the Second, late King of* England, *it was ordained and accorded, that every foreign and alien being of the amity of our lord the King, and of the realm, coming within the city of* London, *and other cities, boroughs, and towns within the ſaid real of* England, *as well within franchiſes as without, with fiſh, and other victuals whatſoever, there abiding and returning, ſhould be from thenceforth under the ſafeguard and ſpecial protection of our lord the King, and that it ſhould be lawful to them, and to every of them, that they might cut fiſh and victuals aforeſaid by pieces, and to tail and retail them in part, and in whole, or in groſs, as they ſhall think beſt, to ſell and make their profit, without impeach-* 6 R.2. c.10.

peachment or contradiction of any, notwithſtanding any ſtatutes, charters, ordinances, privileges, or cuſtoms made or had to the contrary; (2) *and thereupon by a ſtatute made the firſt year of King* Henry *the Fourth it was ordained and ſtabliſhed, That the ſaid ſtatute and ordinance, made the ſixth year, ſhould be firmly holden and kept and duly executed, after the form and effect of the ſame, notwithſtanding any letters patents of late granted to the fiſhmongers of the city of* London, *as in the ſaid ſtatute, made the firſt year, fully appeareth*; by the ſupplication of the commons aforeſaid hath made, ordained, and ſtabliſhed by authority aforeſaid, That the ſaid ſtatutes ſhall be firmly holden and kept, any other ſtatutes or ordinances made to the contrary notwithſtanding; (3) joined to the ſame, That if any man diſturb any foreign or alien to ſell their fiſh in groſs or at retail, in part or in whole, contrary to the ſaid ordinances, and thereof be duly attainted at the ſuit of the King, or of the party, that then he ſhall forfeit x li. (4) And he that will ſue for our lord the King, or for himſelf, ſhall have the one half, and the King the other half. (5) And ſuch ſuit ſhall be taken for any offence committed in the city of *London* againſt the ſaid ordinance, for him which will ſue for our lord the King, or for himſelf, in what county that pleaſeth him, of the counties of *Middleſex*, *Hertford*, *Eſſex*, *Kent*, *Surrey*, or in the city of *London*.

tre dit de nully non obſtantz aſcuns eſtatutz chartres ordinaunces privileges ou cuſtumes faitx ou ewes a contrarie & ſur ceo par un autre eſtatuit fait lan primer le Roi *Henri* qart fuit ordine & eſtable qe les ditz ordinaunce & eſtatuit faitz le dit an vje ſerroit fermement tenuz & gardez & duement executz ſolonc la forme & effect dicelles nient contriſteantz aſcuns lettres patentez nadgairs grauntz au contrarie as peſſoners le Loundres come en le dit eſtatuit fait le dit an primer pleinement appiert a la ſupplication des ditz communes ad ordine & eſtable par auctorite ſuiſdite qe les ditz eſtatuitz ſoient fermement tenuz & gardez aſcuns autres eſtatutz ou ordinaunces faitz au contrarie nient obſtantz Ajouſtantx a icell qe ſi aſcun homme deſtourbe aſcun forein ou alien de vendre lour peſſons en groos ou retaille en partie ou en tout au contrarie dez ditz ordinaunces & de ceo ſoit duement atteint al ſuite de Roi ou de partie qadonqes il forfera xl. li.' & celuy qi voudra ſuer pur le Roi ou pur luy meſmes avera lune moitee & le Roi lautre moitee & ſoit tiel ſuyte pris pur aſcun ofenſe fait en la citee de Loundres encountre le dit ordinance pur celuy qi veudra ſuer pur le Roi ou pur luy meſmes en quel countee qe luy plerra des countees de Midd' Hertf' Eſſex Kent' Surr' ou en la cittee de Loundres.

The forfeiture of him who diſturbeth an alien bringing in victuals to ſell them in groſs or by retail.

9 Ed.3.ſtat.1. c.1.
27Ed.3.ſtat.2. c.2.
11R.2.c.7.

CAP.

CAP. VII.

Merchandiſes taken in ſhips of the King's enemies, though belonging to foreigners in amity with the King, ſhall not be reſtored.

ITEM, *our ſovereign lord the King, conſidering by the grievous complaint to him made by the ſaid commons, how that the aliens of the King's amity do freight and charge the ſhips and other veſſels of (the enemies of our ſovereign lord) the King of* Spain, *which thing doth ſupport and greatly enforce the money of the ſaid enemies, and alſo it is the ſtronger mean that enforceth them of* Rochel, *and divers other of the King's adverſaries. And if it happen that any ſhips or veſſels of the ſaid enemies, with any merchandiſes ſo charged be taken by the King's liege people upon the ſea, the ſaid aliens of the amity aforeſaid, by colour of falſe charters, doubles, letters of marque counterfeited, and falſe witneſſes of their nation, claim and demand the goods and merchandiſes of the ſaid enemies, ſo taken upon the ſea, as their proper goods, and the ſame goods and merchandiſes be reſtored, to the great hindrance of them which they have taken, and abaſhment of the courage of the ſaid liege people:* and foraſmuch as our ſovereign lord the King willing therefore to provide a remedy, hath granted and ordained by authority aforeſaid: inſomuch that it is not contrary to the league made betwixt him and ſome of his allies, That if it happen that any merchandiſes of the aliens of the amity aforeſaid be taken by the ſaid lieges after the feaſt of Saint *Michael* the archangel, next coming, or any ſhips or veſſels of the ſaid enemies of our ſovereign lord the King, not being under the King's ſafe conduct or protection, that then the ſaid lieges may them retain and enjoy without any impeachment or reſtitution thereof to be made: and this ordinance ſhall endure by three years next enſuing, and longer, if it pleaſe our ſaid ſovereign lord the King. Ex edit. Raſt. Aliens. Ships.

CAP. VIII.

The ſtatute of 2 HEN. V. ſtat. 1. cap. 6. *touching breakers of truce, ſuſpended.*

ITEM, *whereas it was declared and ordained by a ſtatute made the ſecond year of King* Henry *the Fifth, foraſmuch as before the ſaid ordinance, divers people compriſed within the truce, as well made by the ſaid late King as by his father, grandfather to the King that now is, and other alſo having ſafe conducts, as well of the ſaid late King* Henry *the Fifth, father to our ſaid ſovereign lord, as of his ſaid grandfather, ſome have been ſlain, robbed and ſpoiled, by the King's liege people and ſubjects, as well upon the main ſea, as within the ports and coaſts of the ſea of the realm of* England, Ireland, *and of* Wales, *whereby the ſaid truce and ſafe conducts have been broken and offended, to the great diſhonour and ſlander of the King, and againſt his dignity, and the ſaid manſlayers, robbers, and ſpoilers, and offenders of the ſaid truce and the King's ſafe conducts, as afore is declared, have been by divers the King's lieges and ſubjects within the coaſts of* Truce. Safe conducts.

divers

divers counties received, abetted, procured, counſelled, hired, ſuſtained, and maintained: that ſuch ſlaying, robbery, breaking of ſuch truce and the King's ſafe conducts, and wilful receipt, abettment, procurement, counſel, hire, ſuſtenance, and maintenance of ſuch perſons to be made in time to come, by the King's lieges and ſubjects within the realm of England, *and of* Ireland, *and of* Wales, *or upon the main ſea, ſhall be adjudged and determined for high treaſon, done againſt the crown and the King's dignity: our ſovereign lord the King, conſidering the pains contained and ſpecified in the ſaid ſtatute, be ſo rigorous and grievous againſt his liege people and ſubjects, and them ſo ſtraitly do bind, that the King's adverſaries and enemies be greatly encouraged and comforted to make war againſt the ſaid liege people: and many of the ſaid liege people and ſubjects, as well upon the main ſea and coaſts of the ſea, as in the marches of the realm of* England, *oftentimes have been ſome robbed, and ſome ſpoiled, and ſome ſlain, whereby many of the ſame lieges, inhabiting in the marches and coaſts aforeſaid, be greatly hindered and impoveriſhed, and in point to be finally deſtroyed: and the mariners and merchants of the King to paſs upon the ſea with their ſhips and veſſels with their merchandiſes, or otherwiſe to make war for the ſafeguard of the ſea, be greatly diſcouraged and abaſhed, and the navy of the realm in point to be deſtroyed, and the ſaid merchants clearly diſcomforted, to do to be renewed any ſhips or veſſels:* hath ordained, by the advice, aſſent and authority aforeſaid, That none of the ſaid lieges and ſubjects of the King, by force of the ſaid ſtatute, for nothing by him attempted, done or to be done againſt the form and tenour of the ſaid ſtatute, within ſeven years next enſuing, after the ſaid tenth day of *October*, be in any wiſe puniſhed, impeached, moleſted, or grieved, by force of the ſaid ſtatute, nor ſhall incur no pain for the ſame otherwiſe than he ought before the making the ſaid ſtatute. But that he, his heirs and executors of all things and pains contained and ſpecified in the ſaid ſtatute, as by force of the ſame ſtatute, becauſe of any offence done during the time aforeſaid againſt our ſaid ſovereign lord the King, his heirs and ſucceſſors, be clearly quit and diſcharged for ever.

Treaſon.

20 H. 6. c. 11.

Statutes made at *Weſtminſter*, *Anno* 15 HEN. VI. and *Anno Dom.* 1436.

AT *the parliament holden at* Weſtminſter *the one and twentieth day of* January, *the fifteenth year of the reign of King* Henry *the Sixth after the conqueſt, by the advice and aſſent of the lords ſpiritual and temporal, and at the ſpecial inſtance and requeſt of the commons of the realm; the ſame our lord the King hath cauſed to be ordained certain ſtatutes to the honour of God, and the*

NOSTRE ſoverain ſeignur le Roy *Henry* le ſiſme apres le conqueſt a ſon parlement tenuz a Weſtm' le xxje jour de Januaire lan de ſon regne xvme de ladvis & aſſent des ſeignurs eſpirituelx & temporelx & a leſpecial inſtance & requeſte de les communes du roialme en meſme le parlement eſteantz ad fait ordeinez & eſtabliez certeins ſtatutz & ordinances

nances al honour de Dieu & le bien & profit de luy & de ſon dit roialme en la ſoutme qenſuit.

the profit of him and his realm, in the form following:

CAP. I.

Where in a ſuit before the marſhal, the defendant may plead, that the plaintiff or he are not of the King's houſe.

EN primes pur ceo qe les ſeneſchall & mareſchall de hoſtell du Roy & lour deputees avaunt cez heures ount tenuz devaunt eux plees de dette detenu & autres plees perſonelx moevez parentre gentz qi ne furent de meſme loſtell en lour recorde faiſantz mention qe les pleintifs & defendants de meſme les plees furent del dit hoſtell & a lez parties defendants en meſmes les plees ne allowent lour chaleng & exceptions par eux aleggez qe ils meſmes ou les pleintifs en meſmes les ſuites ne ſount pas de meſme loſtell encountre les leys & eſtatuts ent avant ces heures eus & faitz parount divers des lieges noſtre dit ſeignur le Roi en ſa court devaunt lez ditz ſeneſchall & mareſchall tenuz ſovent foitz encountre le leie ſount grevouſment vexez & entroublez a lour graunde damage & anientiſſement. Noſtre dit ſeignur le Roi les premiſſes conſiderez ad ordeine par auctorite de meſme le parlement qe en cheſcun ſeurte deſore enavaunt pur les defendants aprendre ils ne ſoient eſtoppes par tiel recorde a dire quils meſmes ou lez pleintifs en meſme le recorde eſpecifiez ne furent al temps du dit plee ou ſuit commence del hoſtell du Roy come par meſme le recorde eſt ſuppoſe eins eient lez ditz defendants loure averement a dire qils meſmes ou les ditz pleintifs

FIRST, *Becauſe that the ſteward and marſhal of the King's houſe and their deputies before this time have holden before them pleas of debt, detinue, and other pleas perſonal moved betwixt people which were not of the ſame houſe, making mention in their records, that the plaintiffs and defendants of the ſame pleas were of the ſaid houſe,* (2) *and do not allow to the parties defendants in the ſame pleas their challenges and exceptions by them alledged, that they themſelves, or the plaintiffs in the ſame ſuits, be not of the ſame houſes, againſt the laws and ſtatutes before this time had and made, whereby divers of the King's liege people in his court holden before the ſaid ſteward and marſhal oftentimes againſt the law be grievouſly vexed and troubled to their great damage and hindrance.* (3) Our ſaid lord the King, conſidering the premiſſes, hath ordained by authority of the ſame parliament, That in every ſurety from henceforth for the ſaid defendants to be taken, they ſhall not be eſtopped by ſuch record, to ſay that themſelves, or the plaintiffs in the ſame record ſpecified, were not at the time of the ſaid plea or ſuit thereof commenced, of the King's houſe, as by the ſame record is ſuppoſed; (4) but the defendants ſhall have their averment to ſay, That they themſelves, or the ſaid plaintiffs, were not of the ſame houſe

1 Bulſtr. 209.

28 Ed. 1. ſtat. 3. c. 3.
13 R. 2. ſtat. 1. c. 2.

In a ſuit commenced before the marſhal of the King's houſe, the defendant ſhall not be eſtopped to plead that the plaintiff or he are not of the King's houſe.

houſe at the time of ſuch plea or ſuit commenced, the ſaid record or other matter within the ſame contained notwithſtanding.

tifs ne furent de meſme loſtell a temps de tiel plee ou ſuit commence le dit recorde ou aſcun matier deinz icell continuz nient obſtant.

CAP. II.

Corn being of ſmall price, viz. *wheat at ſix ſhillings and eight-pence, and barley at three ſhillings the quarter, may be carried forth of the realm without licence.*

Ex. edit. Raſt. Corn. 20 H. 6. c. 6. altered by 1 Jac. 1. c. 25 & 21 Jac. 1. c. 28.

ITEM, foraſmuch as by the law it was ordained, that no man might carry nor bring corn out of the realm of *England* without the King's licence, for cauſe whereof farmours and other men which uſe manurement of their land, may not ſell their corn but of a bare price, to the great damage of all the realm: Our ſaid ſovereign lord the King, willing in this caſe to provide remedy, hath ordained by authority aforeſaid, That it ſhall be lawful to every perſon to carry and bring corn out of *England*, and the ſame to ſell to whatſoever perſon that he will, except all only to the King's enemies, as often and as long as a quarter of wheat or barley is ſo ſhipped: And that without ſuing any licence for the ſame. All other ſtatutes before this time thereof made to the contrary notwithſtanding. Provided always, That the King be contented of his cuſtoms and money. And this ordinance ſhall endure till the next parliament.

CAP. III.

What things be requiſite to make a ſafe conduct effectual.

ITEM, *Whereas our ſaid lord the King of late hath granted his letters of ſafe conduct to certain perſons to come and go in and out of the realms and ſeigniories of* England, France, *and* Ireland, *with certain number of ſhips charged with their merchandiſes, and that faith and credit ſhould as well be given to the copy called* Vidimus, *ſealed under the ſeals authentick and approved, as to the original of the ſaid letters*; (2) *one* John de Gautier, *one of the perſons aforeſaid, granted and delivered the* Vidimus *of the ſaid ſafe conduct to ſuch and to as many as him pleaſed, ſealed with the ſeal of him that calleth himſelf King of* France, *under the colour of which* Vidimus *a great navy of the adverſe part was aſſembled, and did take many ſhips, and the King's*

ITEM par la ou noſtre dit ſeignur le Roi nadgairs avoit graunte ſes lettres de ſauf conduyt as certeins perſons pur venir & aler en & hors de les roialmes & ſeignuries dEngleterre Fraunce & Irlonde oveſqe certeine nombre des niefs charges oveſqe lour marchandiſes & qe foie & credance ſerroit done ſibien a la copie appellez Vidimus enſealez ſoubs ſeales autentiques & approvez come al originall de lez ditz lettres un John le Gautier un de les perſons deſuiſditz graunta & delivera le Vidimus du dit ſauf conduyt as tielx & as tauntz come luy pluiſt enſeales ſoubz le ſeale celuy qi ſoy appelle Roy de Fraunce ſoubz umbre de quel Vidimus un graunde navie de la partie adverſarie

verſarie fuiſt aſſemble & priſt pluſours nieſs & lieges du Roy & vitailla lez villes & fortreſſes de les parties adverſaries a graunde damage du Roy & de ſez lieges ſuiſditz ſi come noſtre dit ſeignur le Roy a la grevouſe compleint a luy en fait par les ditz communes lad pleinment entenduz meſme noſtre ſeignur conſiderant lez graundes inconvenientz queux purroint eſchier par tielx & autres qi malement uſent ſez lettres de ſauf conduyt & qe ſoubz umbre de tielx Vidimus tout un entier navie des adverſaries poet eſtre umbrez & journement vitailler eſtoffer & refreſſher lour partie en graunde damage de ſez roialmes & ſpecialment de le roialme dEngleterre voet doner en commaundement a les gardeins de ſes graunde & prive ſealx qils ne ſoeffrent pas tiel clauſe de Vidimus eſtre mys en null ſauf conduyt a grauntiers de cy enavaunt ſil ne iſſint ſoit qe aſcun graunde ou notable cauſe ou matier moeve meſme noſtre ſeignur le Roy pur ceo tielment grannter. Et voet auxi par auctorite ſuiſdite qe en toutz ſauf conduyts de cy enavaunt a graunterz a aſcun perſon ou perſons les nouns de iceux de les niefs & de les maiſtres & le noumbre de mariners oveſqe leportage des niefs ſoient expreſſez.

King's liege people and victual, to the towns and fortreſſes of the adverſaries, to the great damage of the King and of the liege people aforeſaid, as our ſaid lord the King, at the grievous complaint to him made by the ſaid commons in the ſaid parliament, hath perceived: (3) The ſame our lord the King, conſidering the great inconveniencies which might enſue by ſuch and other which do evil uſe his letters of ſafe conduct, and that under colour of ſuch *Vidimus* a whole navy of enemies may be coloured, and daily victual, ſtuff, and refreſh their party, in great damage of his realm of *England*, doth will, and hath commanded by the authority aforeſaid, to the keepers of his great and privy ſeal, that they ſhall not ſuffer ſuch clauſe of *Vidimus* to be put in any ſafe conduct from henceforth to be granted, unleſs it ſo be, that ſome great or ſome notable cauſe or matter move the ſame our lord the King to grant the ſame in ſuch wiſe; (4) and willeth alſo, that in all ſafe conducts to be granted from henceforth to any perſon or perſons, the name of them, of the ſhips, and of the maſters, and the number of the mariners, with the portage of the ſhips, ſhall be expreſſed.

The clauſe *Vidimus* ſhall not be put in a ſafe conduct, unleſs upon ſome ſpecial cauſe.

What things are requiſite to be inſerted in a ſafe conduct to make it effectual. 18 H. 6. c. 8. 20 H. 6. c. 8. 14 Ed. 4. c. 4.

CAP. IV.

None ſhall ſue a Subpœna *until he find ſurety to ſatisfy the defendant his damages, if he do not verify his bill.*

ITEM *pur ceo que diverſes perſones ont avant cez heurez eſte graundement vexes et grevez per brieſes de ſub pena purchaces pur matiers determinablez per la comen ley de ceſt terre, a graund damage de tielx perſonez iſſint vexes, en ſubverſion et impediment de le*

ITEM, *for that divers perſons have before this time been greatly vexed and grieved by writs of* Subpœna, *purchaſed for matters determinable by the common law of this land, to the great damage of ſuch perſons ſo vexed, in ſubverſion and impediment of the com-*

Mr. Cay obſerves that this chapter is not upon the roll.

Bro. conſcience. 24.

common law aforeſaid; (2) our lord the King doth command, That the ſtatutes thereof made ſhall be duly obſerved according to the form and effect of the ſame, (3) and that no writ of *Subpœna* be granted from henceforth until ſurety be found to ſatisfy the party ſo grieved and vexed, for his damages and expences, if ſo be that the matter cannot be made good, which is contained in the bill.

la comen ley ſuiſdite; *noſtre ſeignur le Roy voet que les eſtatuitz ent faitz ſoient duement gardes ſoloncque la fourme et effect d'celles; et que null briefe de ſub pena ſoit graunte de cy enavant, tanque ſeurtee ſoit trove, pur ſatisfier la partie enſy greve et vexe pur ſes damages et expenſes, ſi iſſint ſoit qe le matier ne poet pas eſtre fait bon quele eſt contenus en la bille.*

No perſon ſhall ſue forth a Subpœna until he find ſurety to ſatisfy the defendant his damages and coſts, if he do not verify his bill.

17 R. 2. c. 6.

CAP. V.

What ſort of perſons may be impanelled upon an attaint.

ITEM *our lord the King conſidering that the trial of life and death, of lands and tenements, goods and chattels of every perſon of his liege people of this realm, touching matters in deed, by the law of the ſame realm remain and ſtand, and daily is very likely to be had and made, by the oaths of inqueſts of twelve men duly ſummoned in his courts*; (2) *and alſo that the great fearleſs and ſhameleſs perjury, which horribly continueth, and daily increaſeth in the common jurors of the ſaid realm, is moſt likely to tend to the greateſt miſchief which may fall to the ſaid realm*; (3) *and that it is to be ſuppoſed, by reaſon that the more ſufficient that men be of lands and tenements, the more unlikely they are to be drawn or moved to perjury by brocage, power, or corruption*; (4) *and that in every action and writ of attaint at the leaſt there muſt be thirteen defendants, unleſs that the death of any cauſe the contrary*; (5) *of which thirteen defendants every perſon by the law may have a ſeveral plea and anſwer, triable in whatſoever county that him pleaſeth of the ſaid realm*, (6) *and every of the ſame thirteen pleas and anſwers triable out of the county in which the action*

ITEM noſtre dit ſeignur le Roy conſiderant qe le triall de vie & de mort terres & tenementz biens & chateux de cheſcun perſon de ſes lieges diceſte roialme touchant matiers en fait par le leie de meſme le roialme remaigne & eſtaa & de jour en jour veriſemblablement eſt pur eſtre eũe & fait par les ſerementz des enqueſtes de xij. hommes duement ſummones en ſez courtes et auxi qe les graundes pourleſſe & inhonuteſſe perjurie qe orriblement continue & journement encreſſe en les communes jurrors du dit roialme a la pluis graunde veriſemblable meſchief qe puis cheier al dit roialme et qil eſt a ſuppoſer par reſon qe le pluis ſufficiantz qe hommes ſoient des terres & tenementz le pluis nonſemblablement ils ſount a eſtre tretez ou moevez a perjure par brocage poure ou corruption & qe en cheſcun action & brief dateint au meyns y faut eſtre xiij. defendantz ſil ne ſoit qe mort daſcuny de eux cauſe le contrarie des queux xiij. defendantz cheſcun perſon par la leie poet avoir ſeverall plee & reſponſe triable en quecounqe countee qe luy pleaſt del roialme avaunt

avauntdit & cheſcun de icelles xiij. plees & reſponſes triables hors del countee en quel laction & brief dateint eſt purſue cauſera la delaie de la priſe de graunde jure da eint jeſqes au temps qe cheſcun des ditz foreins ſeveralx reſponſes ſoit trie. Et tout ſoit qe toutz iceux xiij. foreins ſeveralx reſponſes & plees cheſcun apres auter pur cauſer pluſours delaies ſoient plees tries & trovez countre iceux xiij. defendantz ils nount aſcun prejudice par icels ne les pleintifs en les ditz actions & briefs dateintz null autre avauntage mes qe le court du Roy adonqes de proceder a la priſe du dit graunde jurie la quell par ſubtilitee qe de jour en jour encreſce purroit cauſer la delaie des pleintifs en les ditz actions & briefs dateint par x. ans ou pluis par commune eſtimation ad ordeine par lauctorite avauntdite pur partie de remedie de la meſcheef ſuiſdit qe null viſcount baillif du franchiſe ne coroner en actions ou briefs dateint du plee du terre dannuell value de xl. s. ou pluis ne daction de detenue des faitz concernants terres & tenements de ſemblable value ou pluis ne de plee perſonell dount le juggement de recoverer extende a la ſomme de xl. li.' ou pluis retourne ne empanell en null inquiſition ne enqueſt nulles perſones mes ceux enhabitantz dedeins ſa baille queux a cell temps eient eſtate a lour propre opes ou ceux as queux oeps autres perſons ount eſtate de fee ſimplee fee taill ou frank tenement en terres & tenements dannuell value de xx. li' ou pluis dedeins ſa baille hors del auncein demeſne les cynk portes & tenure de gavelkynde ne meindres

action and writ of attaint is ſued, doth cauſe the delay of the taking of the grand jury of attaint, until the time that every of the ſaid foreign ſeveral anſwers be tried. (7) *And although that all theſe thirteen ſeveral anſwers and pleas, every one after other, to cauſe more delays, be pleaded, tried, and found againſt theſe thirteen-defendants, they themſelves have no prejudice by the ſame, nor the plaintiffs in the ſaid actions and writs of attaint no other advantage, but that the King's court then ſhall proceed to the taking of the ſaid grand jury, which by ſubtilty that daily increaſeth may cauſe the delay of the plaintiffs in the ſaid actions and writs of attaint by ten years or more, by common eſtimation*; (8) hath ordained by authority aforeſaid, for part of the remedy of the ſaid miſchief, that no ſheriff, bailiff of franchiſe, nor coroner, in actions or writs of attaint of plea of land, of the yearly value of xl. s. or more, nor action of attaint of deeds concerning lands or tenements of like value, or more, nor perſonal, whereof the judgment of the recovery ſhall extend to the ſum of forty pounds, or more, ſhall return nor impanel in any inquiſition nor inqueſt, any perſons but ſuch as be inhabiting within his bailiwick, which have eſtate to their own uſe, or they to whoſe uſe other perſons have eſtate, of fee-ſimple, fee-tail, or freehold, in lands and tenements, of the yearly value of xx. li. or more in his bailiwick, out of antient demeſne, the five ports, and the tenure of gavelkind, (9) nor ſhall return in the King's court leſs iſſues in the ſaid actions of attaint, than xl. s.

Who and what ſufficiency in eſtate may be impanelled in juries upon an attaint.

18 H. 6. c. 7. What iſſues ſhall be returned upon every juror in an attaint.

xl. s. at the firſt writ of diſtreſs, and C. s. at the ſecond writ of diſtreſs, and the double of every other writ of diſtreſs againſt the perſons impanelled and returned to be ſworn in the ſame actions. (10) And that no perſon of leſs ſufficiency of freehold than of the yearly value of xx. li. in the form aforeſaid, ſhall be ſworn in the King's court upon any iſſue in the ſaid actions of attaint, if he be for the ſame by the plaintiffs in due form challenged. (11) And that alſo as often as any ſheriff, bailiff of franchiſe, or coroner, do contrary to this ordinance, he ſhall pay, and by this ſtatute be bound to pay to the King x. li. and to the plaintiffs in the ſaid actions and writs of attaint for their delay other x. li. (12) And if any of the foreign anſwers and pleas be tried and found againſt any of the ſaid defendants, that then the ſame judgment againſt the ſame defendants, and for the ſaid plaintiffs, ſhall be given by the King's juſtices, and conſideration of his courts, as by the law ſhould be given againſt the ſame defendants, in caſe that the grand jury in the ſaid actions and writs of attaint, upon the points and articles of the ſame writs, had paſſed againſt the ſame defendants, and with the ſaid plaintiffs. (13) And that by the ſame judgments, no other of the ſaid defendants, but they againſt whom the aforeſaid foreign anſwers and pleas be found and tried, ſhall be prejudiced or endamaged; (14) and that this ſtatute touching the office of ſheriff, bailiff of franchiſe, and coroner, in returning of the ſaid perſons of the ſufficiency of

meindres iſſues en les ditz actions datteint retourne en la court du Roy qe xl. s. a le primer brief de deſtreſſe & cent ſoulz a le ſecunde brief de diſtreſſe & le double a cheſcun autre brief de diſtreſſe envers les perſones empanelles & retournes pur eſtre jurrez en meſmes les actions. Et qe null perſone de meindre ſufficiante du frank tenement qe dell annuell value de xx. li' en la fourme deſſuiſdit ſoit jurrie en la court du Roi ſur null iſſue en les ditz actions datteint ſil ſoit pur icell par les pleintifs en due fourme chalanges. Et qe auxi ſovent qe aſcun vicount bailif du fraunchiſe ou coroner face le contrarie de ceſte ordinance qil paie & par ceſt eſtatut ſoit tenuz a paier au Roy x. li. & a les pleintifs en les ditz actions & briefs datteint pur lour delaies autres x. li. Et qe ſi aſcun des ditz foreins reſponſes & plees ſoit triee & trove encountre aſcun des ditz defendantz qadonques meſmes les juggementz countre meſmes les defendantz & pur les ditz pleintifs ſoient dones par les juſtices du Roy & conſideration de ſes courts ſi come par la leie ſerroit donee envers les meſmes defendants en cas qe le graunde jurie en les ditz actions & briefs datteint ſur les points & articles de meſmes les briefs paſſez encountre meſme les defendants & oveſqe les ditz pleintifs. Et qe par meſmes les juggementz null autre des ditz defendantz ſinon ceux vers queux les avauntditz foreins reſponſes & plees ſount troves & triez ſoit bleſſez ne endamages. Et qe ſi eſtatuit touchant loffice de viſcount bailif de fraunchiſe & coroner

A foreign plea pleaded by any of the defendants found for the plaintiff. Keilw. 55.

This ſtatute doth not extend to cities or boroughs.

en

en retournant des perſones de la ſufficiauntee du frank tenement dannuell value de xx. li.' et qe null perſone de meindre ſufficiante du frank tenement ſoit jurie en les ditz actions & briefs datteint ne extende pas as citees & burghs de le dit roialme ne a les enhabitantz en icelles.

Purveu toutz foitz qe ſi en aſcuny de les ditz countees ne ſoient perſones enhabitantz deſoubz le ſtate de baron del poſſeſſion dez terres & tenementz dannuell value de xx. li. en meſme le counte en la fourme avantdit a ſuffire le noumbre pur eſtre empanelles & retournes en les ditz actions & briefs datteint qadonques le viſcount bailifs de franchiſez & coronours de meſme le counte empanell & retourne en meſmes les actions & briefs parſones illeoqes enhabitantz de la pluis ſufficiante du poſſeſſion dannuell value de terrez & tenementz deinz la value de xx. li. par an en meſme le counte en la fourme avauntdit & qe a ceux perſones nextende pas lavauntdite chalanges qils ne ſount del ſufficiante des terres & tenementz dannuell value de xx. li. en meſme le counte & ceo auxi ſovent qe aſcun de meſmes les viſcountz baillifs ou coroners face le contrarie de ceſt darrein article qil paie au Roy x. li. & au ditz pleintifs x. li. en la fourme avantdite.

of freehold of the yearly value of xx. li. and that no perſon of leſs ſufficiency of freehold be ſworn in the ſaid actions and writs of attaint, ſhall not extend to cities and boroughs within the ſaid realm, nor to the inhabitants in the ſame.

II. Provided always, That if in any of the ſaid counties there be not perſons inhabiting (under the eſtate of a baron) of poſſeſſion of lands and tenements of the yearly value of xx. li. in the ſame county, in the form aforeſaid, to ſuffice the number to be impanelled and returned in the ſaid actions and writs of attaint, that then the ſheriff, and bailiffs of franchiſes, and coroners of the ſame county, ſhall impanel and return in the ſame actions and writs, perſons there inhabiting, of the moſt ſufficient of poſſeſſion of yearly value of lands and tenements within the value of xx li. in the ſame county in the form aforeſaid; (2) and that to ſuch perſons the ſaid challenge extend not, that he is not of poſſeſſion of lands and tenements of the yearly value of xx li. in the ſame county; (3) and that as often as any of the ſame ſheriffs, bailiffs, or coroners do contrary to this preſent article, he ſhall pay to the King x li. and to the plaintiffs x li. in the form aforeſaid. 23 H. 8. c. 3.

A remedy if there be not ſufficient men in the ſame county, who have lands of the yearly value of xxl.

CAP. VI.

A reſtraint of unlawful orders made by maſters of guilds, fraternities, and other companies.

ITEM, *Whereas the maſters wardens and people of the guilds, fraternities and other companies incorporate, dwelling in divers parts of the realm, oftentimes by colour of rule and governance and other terms in general words to them granted and confirmed by charters* Ex. edit. Raſt. Guild. Fraternity, *and* Company.

and letters patents of the King's progenitors, make themſelves many unlawful and unreaſonable ordinances as well of many ſuch things, whereof the coniſance, puniſhment and correction all only pertaineth to the King, lords of franchiſes, and other perſons, and whereby our ſovereign lord the King and other be diſherited of their profits and franchiſes, as of things, which oftentimes in confederacy is made for their ſingular profit, and common damage to the people: the ſame our ſovereign lord the King, by the advice and aſſent of the lords ſpiritual and temporal, and at the prayer of the commons aforeſaid, hath ordained by authority of the ſame parliament, that the maſters, wardens, and people of every ſuch guild, fraternity, or company incorporate, betwixt this and the feaſt of Saint *Michael* next coming, ſhall bring and do all their letters patents and charters to be regiſtered of record before the juſtices of peace in the counties, or before the chief governors of the ſaid cities, boroughs, and towns, where ſuch guilds, fraternities and companies be. And moreover hath ordained and defended, by the authority aforeſaid, that from henceforth no ſuch maſters, wardens, nor people make nor uſe no ordinance which ſhall be to the diſheriſon or diminution of the King's franchiſes, or of other, nor againſt the common profit of the people nor none other ordinance of charge, if it be not firſt diſcuſſed and approved for good and reaſonable, admitted by the juſtices of peace, or the chief governors aforeſaid, and before them entered of record, and after by them revoked and repealed, if it be found by them not lawful or not reaſonable, and that upon pain to loſe and forfeit the force and the effect of all the articles compriſed in their ſaid writs and charters, by which they might do the ſame ordinances to be entered and moreover to loſe and pay x. li. to the King for every ordinance that any of them doth make or uſe to the contrary, as often as he ſhall be of that by due proceſs, and lawful manner convict of record before any of the ſaid juſtices of peace, or chief governors of cities, towns, and boroughs. And this ordinance ſhall endure as long as it ſhall pleaſe our ſaid ſovereign lord the King.

19 H. 7 c. 7.

CAP. VII.

All perſons religious and ſecular may make their general attornies to ſue or plead for them in every hundred and wapentake.

ITEM, *our ſaid ſovereign lord the King, by the aſſent of the lords ſpiritual and temporal, and commons aforeſaid, hath ordained and ſtabliſhed by authority aforeſaid:* That from henceforth all the abbots, priors, and other religious perſons, and their ſucceſſors, and every of them, which have lands and tenements or other poſſeſſions within any of the wapentakes of *Stainclife* wapentake or *Friendleſſe* wapentake in *Craven* in the county of *York*, may make their attornies general in all the courts within the ſaid wapentakes and every of them, that is to ſay, every of the abbots, priors, and religious perſons ſeverally under the common ſeal of his

his houſe, to win and loſe in every manner of plea, for any or againſt any of them in the ſaid courts, or any of them moved or to be moved. And that the ſaid abbots and priors, and religious perſons and their ſaid attornies and every of them, may plead in the ſaid courts and every of them, all manner of pleas, which be pleadable in law and in the law allowable, and that every ſteward and bailiff of or in every of the ſaid courts for the time being, ſhall as well receive any attorney in the manner aforeſaid to be made, as the ſaid pleas by the ſaid abbots, priors, or religious perſons, and by their ſaid attornies, and by every of them to be pleaded, without amercing the ſaid abbots, priors, or religious perſons or any of them in the manner aforeſaid, or otherwiſe than ſecular perſons in like caſe without fraud ſhould be amerced. And that every of the ſtewards and bailiffs aforeſaid, at every time that he doth contrary to this ordinance, ſhall forfeit and pay to the king x. li. and that every perſon which will ſue for the King in this caſe, ſhall have a writ of debt founded upon this ſtatute, and ſhall have the half for his labour, and the King the other half. And that in the ſame manner all other abbots, priors, and other religious perſons and their ſucceſſors, and any other ſecular perſons within this realm, in every hundred and wapentake within the ſame realm, may make their attornies general, to plead for them and every of them in the form aforeſaid, that is to ſay, the ſaid abbots, priors, and religious perſons under the common ſeal, and the ſecular perſons under their ſeals. And if the ſtewards, bailiffs, or any miniſter of any ſuch hundred or wapentake do contrary to the ſame, every of them ſhall forfeit to the King x. li. as afore is ſaid, and this ſtatute and ſtabliſhment ſhall endure as long as it ſhall pleaſe the King.

20 H. 3. c. 10.
13 Ed. 1. ſtat. 1. c. 10.
7. R. 2. c. 14.

CAP. VIII.

No merchant ſhall ſhip any merchandiſes of the ſtaple, but at wharfs aſſigned, &c.

ITEM, *our ſovereign lord the king, to remove and eſchew the great unlawfulneſs and damage, which daily is to him done, in withholding the cuſtoms and ſubſidies, and impediment to the ſtaple of* Calais *of the ſale of wools and woolfels, by ſuch which do ſhip their wools and woolfels in divers ſecret parts and creeks, and other ſuſpect places within this realm, ſtealing bringing and carrying the ſame not cuſtomed to divers parts beyond the ſea, and not to* Calais; hath ordained by the authority aforeſaid, that from henceforth no manner of perſon ſhall ſhip nor do to be ſhipped wools, woolfels, nor other merchandiſes pertaining to the ſtaple, in no place within this realm, but all only at the keys and wharfs being in the ports aſſigned by the ſtatute, where the King's weights and his wools be ſet. (2) And that every maſter of ſhips and veſſels, in the which ſuch wools and woolfels and merchandiſes be put, ſhall find ſufficient ſurety to the cuſtomers of the ports, where they do ſhip, to carry the ſaid wools and woolfels to the ſtaple of *Calais*, and to bring a certification from thence, that he hath ſo done.

No perſon ſhall ſhip any merchandiſe of the ſtaple, but at the keys aſſigned where the King's weights are.

18 H. 6. c. 17.
14 H. 6. c. 5.
4 Ed. 4. c. 2.

done. (3) *Saving always to the merchants of* Genoa, Venice, Tuſcany, Lombardy, Florence, *and* Catalonia, *and to the burgeſſes of* Berwick, *the liberties to them granted by ſtatute heretofore.*

Statutes made at *Weſtminſter*, *Anno* 18 HEN. VI. and *Anno Dom.* 1439.

OUR *lord King* Henry *the ſixth after the conqueſt, at his parliament holden at* Weſtminſter *the morrow after St.* Martin, *in winter, the twelfth day of* November, *the eighteenth year of his reign, to the honour of God, and for the weal of him and of his realm, by the advice and aſſent of the lords ſpiritual and temporal, and the commons in the ſame parliament aſſembled, hath made, ordained, and ſtabliſhed divers ſtatutes and ordinances in the form following.*

NOSTRE ſeignur le Roi *Henry* le ſiſme apres le conqueſt a ſon parlement tenuz a Weſtm' le lendemayn de Seint Martin en iver le xijme jour de Novembre lan de ſon reigne xviije al onour de Dieu & pur le bien de luy & ſon roialme de ladvys & aſſent des ſeignurs eſpirituelx & temporelx & les communes en meſme le parlement aſſembleez ad fait ordeigner & eſtablier diverſes eſtatuitz & ordinances en la fourme qenſuit.

CAP. I.

Letters patents ſhall bear the date of the King's warrant delivered into the chancery.

27 H. 8. c. 11. FIRST, *whereas by ſuit made to the King by divers perſons it hath been deſired by their petitions, to have offices, ferms, and other things of the gift and grant of the King, by his gracious letters patents thereof to them to be made, deſiring by the ſame petitions, the ſame letters patents of the King to bear date at a certain day limited in the ſame, the which day is often long before, the King's grant to them thereupon made have borne the ſame date, by reaſon whereof divers of the King's liege people having ſuch offices, ferms, and other things of the gift or grant of the King, by his gracious letters patents thereof to them long time before duly made, by ſuch ſubtil imagination of ſuch antedates deſired by ſuch petitions, of ſuch offices, ferms, and other things,*

PRimerement come par ſuite fait au Roy par divers gentz ad eſte deſire par lour petitions daver offices fermes & autres choſes del don & graunte du Roy par ſez gracious lettres patentz ent a eux a faire deſirauntz par icell petitions meſmes les lettres patentz du Roy de porter date a certein jour limite en icell le quell jour eſt ſovent longement devaunt le graunte du Roy a eux faitz de lour ditz petitions parount les lettres patentz du Roy a eux ſur ceo faitz ount porte meſme la date a cauſe de quell divers lieges du Roy eiantz tielx offices fermes & autres choſes du don ou graunte du Roy par ſez gracious lettres patentz a eux longe temps devaunt duement fait par tielz ſubtils ymaginations

ginations de tiels antedates deſirez par tiels petitions de tiels offices fermes & autres choſez ſovent ount eſte ouſtes amoves & expelles encountre droit bon conſcience & reaſon. Noſtre dit ſeignur le Roy voillant ouſtier tiels ymaginations del avys & aſſent des ſeignurs eſpirituelx & temporelx & al eſpeciale requeſt des ditz communes ad ordine par auctorite de meſme le parlement qe de qeconqe garrant en apres par meſme noſtre ſeignur le Roy ou ſez heires al chaunceller dEngleterre pur les temps eſteant addreſſe le jour du livere dicell al chaunceller ſoit entre du recorde en la chauncerie et qe le chaunceller face faire lettres patentes ſur meſmes les garrantz portantz date le jour du dit livere en la chauncerie & nemy devaunt en null manere et ſi aſcuns lettres patentes ſoient defore faitz al contrarie ſoient voidez irritez & tenuz pur nulles.

things, often have been put out, amoved, and expelled, againſt right, good conſcience, and reaſon: (2) Our ſaid lord the King, willing to put out ſuch imaginations, by the advice and aſſent of the lords ſpiritual and temporal aforeſaid, and at the ſpecial requeſt of the ſaid commons hath ordained, by authority of the ſame parliament, That of every warrant hereafter ſent by the ſame our lord the King, or his heirs, to the chancellor of *England* for the time being, the day of the delivery of the ſame to the chancellor ſhall be entered of record in the chancery; (3) and that the chancellor do cauſe letters patents to be made upon the ſame warrant, bearing date the day of the ſaid delivery in the chancery, and not before in any wiſe; (4) and if any letters patents be from henceforth made to the contrary, they ſhall be void, fruſtrate, and holden for none.

The King's letters patents ſhall bear date the day of the King's warrant into the chancery delivered. Plowd. 491. Dyer, 133.

CAP. II.

They which have gavelkind lands to the yearly value of twenty pounds, may be returned in attaints.

ITEM come al parlement noſtre ſeignur le Roy tenuz a Weſtm' lan de ſon reigne xvme entre autres articles ſoit ordeigne qe null viſcount baille de fraunchis ne coroner en action ou briefes datteyntes de plee de terre de annuell value de xl. s. ou pluis nen action de atteynt des faitz concernantz terres & tenementz de annuel value de xl. s. ou pluis ne perſonell action dount le jugement de recovere extend al ſomme de xl. li.' ou pluis retourne ne empanelle en null inquiſition ne enqueſte nulles perſones mes ceux enhabitauntz deinz ſa baille qi ount eſtate a lour oeps

ITEM, *where in the parliament of our lord the King, holden at* Weſtminſter *the fifteenth year of his reign, among other articles it was ordained, That no ſheriff, bailiff of franchiſe, nor coroner, in action or writs of attaint of plea of land of the yearly value of* xl. s. *or more, nor in action of attaint of deeds concerning lands and tenements of the yearly value of* xl. s. *and more, nor in perſonal action, whereof the judgment of the recovery extends to* xl. li. *or more, ſhould return or impanel in any inquiſition or inqueſt, any perſons but them that be inhabiting within his bailiwick, which have eſtate*

15 H. 6. c. 5.

to

to their uſe, or they to whom other perſons have eſtate of fee-ſimple, fee-tail, or free-hold, in lands and tenements of the yearly value of xx. li. *or more, within his bailiwick, out of antient demean, five ports, and the tenure of gavelkind*; (2) *in reſpect of which ordinance, ſeeing within the county of* Kent *there be but thirty or forty perſons at the moſt, which have any lands or tenements out of the tenure of gavelkind, becauſe the greater part of the ſaid county, or well nigh all, is of the tenure of gavelkind, which perſons be continually impanelled and returned in the ſaid actions, to the great hindrance and impoveriſhment of the ſame perſons*; (3) our ſaid lord the King conſidering the premiſſes, hath granted, ordained, and ſtabliſhed, by authority aforeſaid, That thoſe men which have eſtate to their uſe, and alſo they to whoſe uſe other men have eſtate, of fee-ſimple, fee-tail, or free-hold, in lands and tenements of the yearly value of xx. li. of the tenure of gavelkind, ſhall be returned and impanelled in all ſuch attaints as be above recited, which attaints be not now depending, but may depend in time to come, in the ſame manner and form as any other perſon may be returned and impanelled by force of the ſaid ſtatute made the ſaid fifteenth year.

23 H. 8. c. 3.

They which have gavelkind lands to the yearly value of xx. li. may be impanelled upon attaints notwithſtanding the ſtatute of the 15 H. 6. c. 5.

oeps ou ceux as queux autres perſones ount eſtate de fee ſimple fee taille ou franctenement en terres & tenementz de annuell value de xx. li.' par an ou pluis deins ſa baille hors de auncien demeſne cynk portz & la tenure de gavylkynde par cauſe de quel ordenaunce a cauſe qe deins le counte de Kent ſount qe trent ou quarrant perſones a pluis qe ount aſcuns terres ou tenementz hors de tenure de gavylkynde pur ceo qe la grendre partie du dit counte ou bien pres tout eſt de tenure de gavylkynde les queux perſones ſount continuelment empanellez & retournez en les ditz actions datteintes a graunde anientiſment & empoveriſment des meſmes les perſones noſtre dit ſeignur le Roy conſiderant les premiſſes ad graunte ordine & eſtablie par lauctorite deſuiſdit qe iceux hommes qi ount eſtat a lour oeps & auxint iceux as queux oeps autres hommes ount eſtat de fee ſimple fee taille ou fractenement es terres & tenementz dannuell value de xx. li.' de la tenure de gavylkynde ſoient retournez & empanellez en autiels atteintes come ſount deſoubtz reciteez les queux atteintes ne ſount pas ore pendantz mes purront pendre en temps avenir meſmes en les manere & fourme come aſcun autre perſone poet eſtre retournez & empanellez par force du dit eſtatuit fait le dit an quindſiſme.

CAP. III.

Butter and cheeſe may be tranſported without licence.

Ex edit. Pulton.
21 R. 2. c. 17.
3 H. 6. c. 4.
14 H. 6. c. 2.

ITEM, Whereas in the ſtatute made the xxj. year of King *Richard* the Second, at the grievous complaint of his commons, ſhewing how the ſtaple was limited to reſt at *Calais*, (2) and that all manner of wools, woolfels, leather, lead, tin, cheeſe, butter and honey, going out of the realm of *England*, ought

ought to have recourſe to the ſaid place of *Calais*, and to no place elſewhere: (3) certain perſons by their ſuggeſtions had before that time purchaſed licences to carry out wools, and other merchandiſes aforeſaid, to what parts beyond the ſea that pleaſed them, of the King's amity, to the which their licences do extend, without coming to the ſaid places of *Calais*, to the great advantage of the perſons ſo having licences, and great damage of them which have no licence: (4) wherefore the ſaid King by authority of his parliament holden the year aforeſaid, ordained and ſtabliſhed, That the ſaid ſtatute ſhould be holden and obſerved as to the great merchandiſes aforeſaid, that is to ſay, wools, woolfels, tin and lead only, without licence thereof to be granted but by the King himſelf. (5) In reſpect of which ſtatute ſo made, the chancellor for the time being often hath denied to grant licences for cheeſe and butter to be carried to any other place, but only to the ſame *Calais*, to the great damage of the people of this realm: (6) Our ſaid lord the King conſidering that cheeſe and butter is a merchandiſe which cannot be well kept, nor tarry his merchant, and will be greatly impaired by vermin and worms, and is alſo tender and of ſo ſimple price, that it cannot well bear the coſts of the ſtaple, hath ordained by the authority aforeſaid, that the King's liege people may convey and carry out of his realm, whither it ſhall pleaſe them of the King's amity, cheeſe and butter without any licence to be purſued in any wiſe, paying for the ſame the cuſtoms and ſubſidies thereof due from time to time, any ſtatute made to the contrary notwithſtanding.

The King's people may carry butter and cheeſe to any place out of the realm, being in amity with the King, without licence.

II. Provided that the King may reſtrain the ſame when it ſhall pleaſe him.

3 H. 6. c. 4. 1 & 2 Ph. & M. c. 5.

CAP. IV.

No merchant alien ſhall ſell any merchandiſes in England *to another merchant alien. Mayors,* &c. *of cities and towns to execute this act.*

ITEM, whereas great damages and loſſes daily come to the King and to his people, by the buying and ſelling that the merchants aliens and ſtrangers do make at their proper will and liberty, without any notice governance and ſurveying of any of the King's lawful liege people, as by ſuch buying and ſelling, which they uſe together of all manner of merchandiſes every of them with other, and alſo by covins and compaſſings, that they do to impair and abate the price and value of all manner of merchandiſes of this noble realm, and do increaſe and inhance the price of all their own merchandiſes, whereby the ſaid merchants aliens be greatly enriched, and the Kings ſubjects merchants denizens of the ſame realm grievouſly impoveriſhed, and great treaſure by the ſame aliens brought out of this realm, the cuſtoms and ſubſidies by them due to the King for the cauſes aforeſaid greatly diminiſhed, and the navy of the ſaid realm greatly deſtroyed and hindered. And whereas

Ex edit. Raſt. Merchants aliens.

whereas by divers ſtatutes before this time made it was ordained, That in every city, town, and port of the ſea of *England*, where the merchants aliens and ſtrangers be or ſhall be repairing, ſufficient hoſts ſhall be aſſigned to the ſame merchants, by the mayor, ſheriffs, or bailiffs of the ſaid cities, towns, and ports of the ſea, and that the merchants aliens and ſtrangers ſhall not be dwelling in any other place but with the ſaid hoſts ſo aſſigned, which be not ſufficient and convenient remedies enough againſt the damages and inconveniences aforeſaid: Our ſaid ſovereign lord the King, willing againſt the ſame damages and inconveniences to provide a remedy in this behalf, hath ordained by authority aforeſaid, That from henceforth no merchant alien or ſtranger, ſhall ſell no manner of merchandiſe to other merchant alien or ſtranger, upon pain of forfeiture of the ſame merchandiſes. And that all merchants aliens and ſtrangers from henceforth coming or abiding to merchandiſe within any city, town, borough, or port in *England*, ſhall be under the ſurveying of certain people called hoſts or ſurveyors to them aſſigned by the mayors, ſheriffs, or bailiffs of the ſame cities, towns, boroughs, or ports by the manner enſuing. And that every ſuch merchant alien coming to any of the cities, towns, boroughs or ports, within three days after his ſaid coming, ſhall offer him in perſon before the mayor, ſheriff, or bailiff, of the ſame city, borough, town, or port, to which he cometh, to have an hoſt to him aſſigned. And that the mayors, ſheriffs or bailiffs, of every of the ſaid towns, boroughs, and ports, within iiii. days next after that they have notice of the coming or being of any ſuch merchants, ſhall aſſign to the ſame merchants aliens ſufficient hoſts which be good and credible perſons, *Engliſhmen* born, expert in the feat of merchandiſe, and not exerciſing ſuch merchandiſes, which the merchants aliens being under their ſurveying for the time do uſe. And that the ſame hoſts ſhall ſurvey and be privy to all the merchandiſes, which the ſaid merchants ſhall diſcharge at any port or place of this realm, or ſhall bring or do to be brought out of the ſame, and to all ſellings, buyings, and contracts of merchandiſes, which they do within the ſaid parts and places. And that every ſuch merchant, which bringeth or doth to be brought from henceforth any merchandiſes and them diſcharge within any port or place of the ſaid realm, ſhall put them to ſale by the ſurveying of the ſaid hoſts, and make full employment of all the ſame merchandiſes, (except all manner of cloths of gold, of ſilver, and of ſilk) within eight months next after the coming of the ſame merchandiſes to any port, ſafe, or place diſcharged of the ſaid realm, deducting their reaſonable coſts and expences, that is to ſay, they ſhall ſell the ſame merchandiſes for other merchandiſes of the ſaid realm, or ſhall ſell them for money, and with the ſame money they ſhall buy within the time aforeſaid other merchandiſes growing and made within the ſame realm, upon pain to forfeit all the ſaid money within the ſaid term not employed.

ployed. And that it ſhall be lawful to the ſaid merchants aliens and ſtrangers, after the ſaid eight months to carry out of the ſaid realm all the ſaid merchandiſes within the ſame term (as is ſaid) and not ſold, without any cuſtoms or ſubſidies thereof to be paid. And if the ſaid merchants aliens after the ſaid eight months ſell any of the ſaid merchandiſes within this realm, that then they ſhall be forfeit. And every of the ſaid hoſts ſhall do to be regiſtered and written in a book from time to time all the ſaid merchandiſes, which the merchants aliens ſhall have and receive, and all the buyings, ſales, contracts, and employments that they do by their knowledge and ſurveying, and the tranſcript thereof ſhall bring or do to be brought before the treaſurer and barons of the King's exchequer two times by the year, that is to ſay, at the beginning of the two terms of *Eaſter* and Saint *Michael*. And the ſame hoſts their executors, heirs or landtenants by colour of ſuch tranſcript or any other thing concerning the ſaid occupation of hoſt, ſhall not be bound to accompt within the ſaid exchequer, nor otherwiſe charged. And the ſaid hoſt ſhall take for his labour in that caſe of every merchant ſtranger two pence for every twenty ſhillings in value of all manner of merchandiſes ſo by the ſaid merchants aliens ſold and bought. And every ſuch hoſt in his firſt admiſſion to the ſaid occupation, ſhall ſwear before the mayors, ſheriffs, and bailiffs, by whom he ſhall be aſſigned to ſuch occupation, well and lawfully to uſe and exerciſe the ſame occupation. And if he be found unlawful or defective to the contrary, then ſhall he be put out of the ſaid occupation by the ſaid mayors, ſheriffs, and bailiffs, as often as to them ſhall ſeem needful, and other by them put in his place, and moreover to puniſh him after his deſerving by diſcretion of the ſame mayors, ſheriffs, and bailiffs. And if any merchant alien or ſtranger do not offer him to take ſuch hoſt, or after that an hoſt be to him aſſigned, as afore is ſaid, refuſe to be under the ſurvey and governance of ſuch hoſt, in the manner aforeſaid, he ſhall be taken and arreſted by the ſaid mayors, ſheriffs, or bailiffs, and put in priſon, there to remain without being let to bail or mainpriſe, till he hath found ſufficient ſurety, to be under the governance of ſuch hoſt, to make him privy to all the ſales, buying and contracts of his merchandiſes, as aforeſaid, and the ſame merchant alien in that caſe ſhall make fine and ranſom at the King's pleaſure. And if any ſuch merchant alien make any buying, ſale or contract of merchandiſe, without the ſaid ſurveying of his hoſt, or making the ſaid hoſt privy to all the ſaid merchandiſes, ſold, bought, or contracted, as afore is ſaid, he ſhall forfeit the value of the ſame goods bought or ſold, or the ſum or value of that whereof the contract is made. And if any ſuch mayor, ſheriff, or bailiff let any ſuch merchant willingly to be without hoſt in the form aforeſaid, and go at large without arreſting him, and putting him in priſon, and puniſhing in the form aforeſaid, the ſame mayor, ſheriff, or bailiff ſhall forfeit twenty pounds to the King

for

for every merchant alien ſo willingly ſuffered to go at la. not arreſted, and for every ſuch merchant alien and ſtranger, whom ſuch hoſt in the form aforeſaid is not aſſigned. And it any man which is by ſuch mayor, ſheriff, or bailiff aſſigned to be hoſt to any ſuch merchant alien and ſtranger, refuſe to be ſuch hoſt, he ſhall pay every time to the King, that he ſo refuſeth to be hoſt ten pounds. And every merchant alien and ſtranger, which employ not the ſaid money within the ſaid eight months (as is ſaid) or that he ſell his ſaid merchandiſes in *England* after the ſame eight months, and thereof before any of the King's judges be duly convict by his examination or otherwiſe at the King's ſuit, or at the ſuit of his liege people, which will ſue for the King and for himſelf in theſe two caſes aforeſaid, then the ſaid merchant alien and ſtranger, ſhall incur the pain and forfeiture aforeſaid. And he that will ſue, ſhall have the fourth part of the ſaid forfeitures, and the King the three other parts. And that this act and ordinance ſhall begin to hold place at the feaſt of *Eaſter* next coming, and ſhall endure till the end of eight years next enſuing. And that betwixt this and the feaſt of *Eaſter*, certain commiſſioners under the King's great ſeal, rehearſing all the ſame act and ordinance, ſhall be made and ſeverally directed to the mayors, ſheriffs, or bailiffs, of every city, town, borough, and port of the ſaid realm, where ſuch merchants aliens and ſtrangers be or ſhall be abiding or repairing, ſtraightly charging the ſame mayors, ſheriffs, and bailiffs, which be or which for the time ſhall be, to publiſh and put all the ſaid act and ordinance in due execution. Provided always, That the merchants of the *Hanſe* of *Almaine*, and all other merchants under the King's obedience, be not compriſed within this act and ordinance: So that always by this proviſion and ordinance no prejudice be given or done to any alliance or truce made by the King or any of his noble progenitors before this time.

4 H. 4. c. 15.
5 H. 4. c. 9.
27 H. 6. c. 3.
17 Ed. 4. c. 1.
3 H. 7. c. 8.
13 & 14 Car. 2. c. 26.

CAP. V.

None appointed to be a collector of a fifteen in a city, ſhall be alſo collector in the ſame county, except he hath lands, &c.

ITEM, *Whereas heretofore at the time of every* Quinzime *and* Diſme *granted to the King or to his progenitors, the collectors of the ſame* Diſmes *within the cities and boroughs of his realm, having citizens or burgeſſes of them coming to the parliament, have often been deputed and aſſigned of perſons dwelling within the ſame cities and boroughs, which and other perſons dwelling in the ſame have been often now of late made collectors of*

ITEM come devaunt cez heures al temps de chefcun xvme & xme a Roy ou a ſez progenitours grauntez collectours de meſme le xme deins les citees & burghs de ſon roialme eiantz citezeins ou burgeys de eux veignauntz al parlement ount ſovent eſte deputez & aſſignes des gentz demurrantz deins meſmes les citees & burghs les queux & autres gentz demurantz en ycell ount ore tarde ſovent foit

foitz eſtez faitz collectours de les xvme & xme a Roy grauntes ſibien en les countes deins quell meſmes les citees & burghs ſount come deins meſmes les citees & burghs a lour graunde perde & dammage & ſemblable deſtre en apres ſi remedie ent ne ſoit purveux meſme noſtre ſeignur le Roy voillant encountre tielx perde & damage purvoier de remedie en ceſt partie ordeigne par lauctorite deſuiſdit qe null homme demurant deins aſcun cite ou burgh deins le dit roialme de la quell cite ou burgh il ad eſte uſe devaunt cez heures & unquore eſt les nouns de certeins homes par les perſones pur la dit citee ou burgh veignauntz al parlement deſtre deliverez en la chauncerie du Roy deſtre collectours du xme en meſme le citee ou burgh & ſur qe le Roy ad mys ſez lettres patentz a meſmes les perſones iſſint nomes & deliveres en ſa dit chauncerie deſtre collectours de la xme ou parcell dicell deins la dit citee ou burgh et les queux collectours ount accomptes & ſount tenuz dacomptier de lour receit en ceſt partie immediat en leſchequer du Roy ſoit en aſcun manere depute ne aſſigne deſtre collectour daſcun xvme ou aſcun parcell dicell au Roy ou ſez heires grauntes ou a grauntiers deins aſcun countee diceſt roialme ſinon qil poet expendre en le countee hors du dit citee ou burgh es terres ou tenementz a la value de C s. par an outre les charges & repriſez.

of the ſame Quinzimes *and* Diſmes *granted to the King, as well in the counties within which the ſame cities and boroughs be, as within the ſame cities and boroughs to their great loſs and damage, and likely more to be hereafter, if remedy be not provided*; (2) the ſame our lord the King, willing againſt ſuch loſs and damage to provide a remedy in this behalf, hath ordained by the authority aforeſaid, That no man dwelling within any city or borough of the ſaid realm, of which city or borough it hath been uſed before this time, and yet is, the names of certain men by the perſons for the ſaid city or borough coming to the parliament to be delivered in the King's chancery, to the collectors of *Diſmes* in the ſame city or borough, and whereupon the King hath ſent his letters patents to the ſame perſons ſo named and delivered in his chancery, to be collectors of the *Diſmes*, or parcel of the ſame, within the ſaid city or borough, and the which collectors have uſed and been bound to account of their receipt in this behalf immediately in the King's exchequer, ſhall in any wiſe be deputed nor aſſigned to be collector of any *Quinzime*, or any parcel of the ſame, granted or to be granted to the King or his heirs within any county of this realm, except that he may diſpend in the county out of the ſaid city or borough, in lands or tenements, to the value of an hundred ſhillings by year, over the charges and repriſes.

No man dwelling in any city or borough, appointed to be collector for the fifteen there, ſhall be ſo in the ſame county.

CAP. VI.

No lands ſhall be granted by letters patents, until the King's title be found by inquiſition.

8 H.6.c.16. ITEM, *whereas in a parliament holden at* Weſtminſter, *the morrow after St.* Matthew *the Apoſtle, the eighth year of the reign of our lord the King that now is, among other things it was ordained, That no lands or tenements ſciſed into the King's hands upon inqueſts taken before the eſcheators or commiſſioners, ſhall not be granted nor let in any wiſe to ferm by the chancellor or treaſurer of* England, *or any other the King's officer, until the ſame inqueſts and verdicts be fully returned into the chancery, or into the exchequer,* (2) *but all ſuch lands and tenements ſhall wholly and continually remain in the King's hands, until the ſaid inqueſts and verdicts be returned, and by a month after the ſame return; if it be not ſo that he or they which feel themſelves grieved by the ſame inqueſts, or put out of their lands or tenements, come into the chancery, and offer themſelves to traverſe the ſaid inqueſts, and offer themſelves to take the ſame lands or tenements to ferm;* (3) *and if they ſo do, that then the ſame lands and tenements ſhall be committed to them, if they ſhew good evidences proving their traverſe to be true, according to the form of the ſtatute made the ſix and thirtieth year of King* Edward *the Third, to hold until the iſſue taken upon the ſame traverſe be found and diſcuſſed for the King, or for the party, finding ſufficient ſurety to purſue the ſaid traverſe with effect, and to yield and to pay to the King the yearly value of the lands or tenements, whereof the traverſe ſhall be ſo taken,*

2 Leon. 124, 185. Goldsb. 21. pl. 1. Savil 70.

ITEM come en le parlement tenuz a Weſtm' lendemayn de Seint Mathe lappoſtel lan du reigne noſtre ſeignur le Roy qoreſt viijme ordine ſoit entre autres qe nullez terres ne tenementz ſeiſiez en mayns le Roy ſur enqueſtes priſes devaunt les eſchetours ne commiſſioners ne ſoient aſcunement leſſez ne grauntez a ferme per chaunceller ou treſorer dEngleterre ou autre officer le Roy qeconqe tanqe meſmes les enqueſtes & verditz ſoient retournez plainement en la chauncerie ou en leſcheqer mes demurgent toutz tielx terres & tenementz entirement & continuelment en lez mayns le Roy tanqe les ditz enqueſtes & verditz ſoient retournes & par un moys apres meſme le retourne ſi iſſint ne ſoit qe ceux ou celuy qi ſent ou ſentent eux grevez par meſmes les enqueſtz ou ouſtes de lour terres ou tenementz veignent en la chauncery & ſoy preferont de traverſer les ditz enqueſtes & ſoy offeront de prendre meſmes les terres & tenementz a ferme ſoient commys a eux ſils monſtrent bons evidences provaunt lour traverſe eſtre verroiez ſolonc la fourme de leſtatuit fait lan xxxvime le Roy E. tierce a tenir tanqe liſſue ſur meſme le traverſe pris ſoit trove & diſcuſſe pur le Roy ou pur le partie trovant ſuffiſaunt ſurete de ſuer le dit traverſe ove effecte & de rendre paier au Roy le annuel value de terres ou tenementz dount la traverſe enſy ſerra pris ſils ſoit diſcuſſe pur

le Roy & ſi aſcuns lettres patents des aſcuns terres ou tenementz ſoient faitz a contrarie a aſcun autre perſone ou leſſe a ferme deinz le dit moys de retourne ſoient voidez & tenuz pur null. Le quel bon eſtatuit & ordinaunce divers perſones ymaginantz a ſubverter par lour ſubtilitie de ſervir come de null purſuount daver tielx dones grauntes & fermes par lettres patentes du Roy devaunt aſcun inquiſition on title trove pur le Roy dicelx pretendauntz tielx dones & grauntes nient eſtre compriſe ne remedies par le dit eſtatuit nient obſtant qil eſt en owel meſchief de le dit eſtatuit. Noſtre ſeignur le Roi conſiderant les premiſſes & voillant en ceo partie purvoier de remedie ad ordeigne par lauctorite deſuiſdit qe nulles lettres patentes ſoient faitz a aſcun perſone ou perſones daſcunes terres ou tenementz devaunt inquis' de title du Roy en yceux trove en ſa chaunce-rie ou en ſon eſchequyr retourne ſi title du Roy en yceux ne ſoit trove de recorde ne deinz le moys apres meſme le retourne ſil ne ſoit a celuy ou ceux qi tende ou tendent lour traverſez come deſuis eſt dit & ſi aſcuns lettres patentes ſoient faitz a contraire ſoient voides & tenuz pur null.

taken, if it be adjudged for the King; (4) *and if any letters patents of any lands or tenements be made to any other perſon to the contrary, or let to ferm within the ſaid month of the return, they ſhall be void, and holden for none.* (5) *The which good ſtatute and ordinance divers perſons deviſing to ſubvert, and by their ſubtilty to ſerve as for no purpoſe, have ſued to obtain ſuch gifts and grants, and ferms, by the King's letters patents, before any inquiſition or title found for the King of the ſame, pretending ſuch gifts and grants not compriſed nor remedied by the ſaid ſtatute, notwithſtanding that it is in like miſchief of the ſaid ſtatute.* (6) Our ſaid lord the King, conſidering the premiſſes, and willing to provide due remedy in this behalf, hath ordained by the authority aforeſaid, That no letters patents ſhall be made to any perſon or perſons, of any lands or tenements, before inquiſition of the King's title in the ſame be found in the chancery or in his exchequer returned, if the King's title in the ſame be not found of record, nor within the month after the ſame return, if it be not to him or them which tender their traverſes as afore is ſaid; (7) and if any letters patents be made to the contrary, they ſhall be void, and holden for none.

36 Ed.3.c.13.

Bro. Office, 56. Dyer, 146.

No lands ſhall be granted before the King's title thereunto be found by inquiſition, nor within a month after, unleſs it be to him that tendereth his traverſe.

March 84.

23 H.6.c.17. 1 H.8.c.10.

CAP. VII.

In what time an eſcheator ſhall return an office found before him.

ITEM ordeigne eſt par lauctorite deſuiſdit qe en cas qe aſcun eſchetour preigne aſcun office devaunt luy & ne retourne meſme loffice en la chaun-

ITEM, it is ordained by the authority aforeſaid, That in caſe that any eſcheator take any office before him, and return not the ſame office in the chan-

An eſcheator ſhall return an office found before him into the chancery or exchequer within a month.

chancery, or in the King's exchequer, in the month after the taking of the ſame, he ſhall incur the pain of xl. li. which he hath forfeit by the ſtatute made the eighth year of our ſaid lord the King: (2) and alſo he ſhall be charged to pay to the ſame our lord the King as much as he is endamaged in reſpect of not returning of ſuch office; and that the chancellor of *England* call to him the treaſurer of *England* in letting ſuch ferms, to make due execution of the ſa'd ſtatute made the ſaid eighth year.

chauncerie ou leſchequyr du Roy deins le moys apres la priſe dicell qil outre la peyne de xl.li. les queux il ad forfait par leſtatut fait lan du reigne noſtre dit ſeignur le Roy oeptiſme ſoit tenuz a paier a meſme noſtre ſeignur le Roy a taunt come il eſt endamage a cauſe de non retourne de tiel office. Et qe le chaunceller dEngleterre appelle a luy le treſorer dEngleterre en leſſant tieux fermes pur due execution faire de dit eſtatut fait le dit an oeptiſme.

8 H.6.c.16.
1 H.8.c.8.

CAP. VIII.

What things be requiſite to make the King's ſafe conduct good.

ITEM, *whereas many people of the commons aforeſaid, owners of ſhips and veſſels of this realm, and the maſters and mariners of ſuch ſhips, taking ſhips and veſſels of* Spain, *and of other parties, adverſaries and enemies to our ſaid lord the King, by the ſuit of merchants aliens of the King's amity, made before the King and his council, and ſometime before the chancellor of* England, *have been greatly vexed, and be daily, for that the ſaid takers do take their goods and merchandiſes charged in the ſaid ſhips and veſſels of* Spain *and other parts, enemies aforeſaid, and ſometime by falſe- neſs, marks, and letters teſtimonials, contrived, the ſaid aliens be reſtored to the ſaid goods and merchandiſes with their damages and expences, to the great and grievous loſs of the ſaid owners, maſters, and mariners, takers aforeſaid, and diſcouragement to the King's liege people to make ſuch ſhips and veſſels, and in hindrance of the navy of the realm aforeſaid:* (2) our ſaid lord

ITEM come pluſours gentz des communes ſuiſditz poſſeſſours de niefs & veſſeaux du roialme noſtre ſovereigne ſeignur les maiſtres & mariners de tielx niefs & veſſeaux parnours des niefs & veſſeaux de Spayne & dautres parties adverſaries & enemeys au dit noſtre ſoveraigne ſeignur par le ſuyte des merchauntz aliens del amite du noſtre Roy fait devaunt le Roy & ſon counſaill & aſcun foitz devaunt le chaunceller dEngleterre ount eſte graundement vexez & ſont de jour en autre de ceo qe les ditz parnours priſteront lour biens & merchandiſes chargez en meſmes les niefs & veſſeaux de Spayne & autres parties enemyes ſuiſditz & aſcun foitz par faux teſmoignes marques & lettres teſtimonialx contrevez ſount reſtorez as ditz biens & merchaundiſes ove lour damages & expenſes a graunde & grevouſe damage des ditz poſſeſſours maiſtres & mariners parnours ſuiſditz diſcorage as liges

lieges noſtre dit ſeignur le Roy a faire niefs & veſſeaulx & en amenuſement du navie du roialme ſuiſdit noſtre dit ſeignur le Roy conſiderant la matier ſuiſdit & coment les biens & merchaundiſes des lieges du Roy enſemble cas chargez & priſez ſount forfaitz au Roy ad ordeignez & grauntez par lauctorite de ſuiſdit qe les dit merchauntz aliens a lour volunte purrount charger tieulx niefs & veſſealx de Spayne & dautres parties adverſaries & enemyes du Roy ſi les maiſtres poſſeſſours ou merchauntz de tielx veſſealx & niefs eient les lettres patentes du Roy de ſon ſauf-conduit ſuerte ou ſaufgarde pur tielx niefs veſſeaulx & merchaundiſe faiſant mention du noun de niefs ou veſſeaulx & de noun de meſtre dicelles niefs & veſſalx ſi come le manere eſt ſi aſcuns tielx niefs ou veſſeaulx chargez ove aſcunes merchaundiſes de tielx merchauntz avauntditz ſoient priſez ſur meer par lieges du Roy non eiant les lettres patentz du Roy come avaunt eſt dit dedeins le bord de tielx niefs ou veſſeaulx a jour de la priſe ne qe tielx lettres patentz le jour de la priſe ſoient en la chauncellarie du Roy enrollez de recorde qe adonqes les parnours poſſeſſours les biens & merchaundiſes enſy priſez pourront enjoyer & tenir aſcun eſtatuit ou ordenaunce fait en la contrairie non obſtant. Et qe ceſt eſtatuit & ordeinaunce ſoit commence a tenir ſa force a la feſt de Seint Michel prochein veignaunt & qe proclamation en ſoit fait ſur les coſtes de le meer toſt apres ceſt ordeinaunce al entent qe les ditz merchauntz aliens purrount avoir conuſſaunce de meſme lordenaunce.

lord the King conſidering the matter aforeſaid, and how the goods and merchandiſes of the King's liege people in like caſe charged and taken be forfeit to the King, hath ordained and granted by the authority aforeſaid, That the ſaid merchants aliens, at their pleaſure, may charge ſuch ſhips and veſſels of *Spain*, and of other parts, adverſaries and enemies of the King, if the maſters, owners, or merchants of ſuch veſſels and ſhips having letters patents of the King, of his ſafe conduct, ſurety, or ſafeguard for ſuch ſhips or veſſels, and merchandiſes, making mention of the name of the ſhips or veſſels, and of the name of the maſter of the ſhips and veſſels, as the manner is; (3) and if any ſuch ſhips or veſſels charged with any merchandiſes of ſuch merchants aforeſaid, be taken upon the ſea by the King's liege people, not having the King's letters patents, as afore is ſaid, within the board of ſuch ſhips or veſſels, at the day of the taking, nor that ſuch letters patents at the day of the taking be in the King's chancery enrolled of record, that then the takers and poſſeſſors of the goods and merchandiſes, ſo taken, may enjoy and hold the ſame, any ſtatute or ordinance mad the contrary notwithſtanding; (4) and that this ſtatute and ordinance ſhall begin to take his force at the feaſt of St. *Michael* next coming; and that proclamation be thereof made upon the ſea-coaſts incontinently after this ordinance, to the intent that the ſaid merchants aliens may have knowledge of the ſame ordinance.

What things are required to be performed by them who will take advantage of the King's ſafe conduct.

15 H. 6. c. 3.
20 H. 6. c. 1.
14 Ed. 4. c. 4.

CAP. IX.

The warrant of attorney ſhall be recorded in the ſame term that the exigent is awarded.

10 H. 6. c. 4.

ITEM, *whereas in a ſtatute expired, made the tenth year of the reign of our lord the King that now is, it was contained, That ſeeing divers of the King's liege people before that time had been outlawed, vexed, and greatly diſquieted in divers ſuits, as well before the King himſelf in his bench, as in the common bench, in the records of which ſuits the entries have been made, that the plaintiffs in the ſame ſuits* Obtulerunt ſe in propria perſona ſua, *where the ſame plaintiffs in the ſame ſuits did not appear to ſuch ſuits, nor had any knowledge of the ſame, to the great miſchief of the ſaid liege people, if remedy ſhould not be provided:* (2) *Our lord the King, willing in this caſe to provide a remedy, did ordain, by authority of the ſame parliament holden the ſame year, that no fyliſer, exigentor, nor any other officer, from the ſame time ſhould make any ſuch entry in any ſuch ſuit, except that the ſame plaintiff in the ſame ſuit, before any ſuch entry ſhall be made, do appear in his proper perſon before ſome of the juſtices of the place where the plea was or ſhall be hanging;* (3) *and there ſhall be ſworn upon a book, that he was the ſame perſon in whoſe name the ſaid ſuit was ſued, or that ſome other credible perſon of his council ſhall make ſuch oath for him.* (4) *And that this ordinance ſhall endure until the next parliament following.* (5) Our ſaid lord the King conſidering moreover like damages, which happen as well to him, as to his poor liege people and ſubjects, for that in the records

A falſe entry, that the plaintiff in a ſuit doth offer himſelf in proper perſon, where he doth not,

ITEM come en un eſtatuit determine fet lan du reigne noſtre ſeignur le Roy qoreſt xme fuiſt contenuz coment pur ceo qe divers lieges le Roy avaunt cez heures ount eſte utlages vexez & graundement diſſeiſez en diverz ſuytes ſibien devaunt le Roy meſme en ſon bank come en le commune bank en les recordes les queux ſuytes les entres ount eſte faitz qe le pleintifs en meſme le ſuytes optulerunt ſe in propria perſona ſua lou meſme les pleintifs en meſme les ſuytes napparerunt as tielx ſuytes ne conuſaunce avoient de cell au graund miſchief des ditz lieges ſi remedie ne ſerroit purveu en cell partie. Noſtre ſeignour le Roy voillant en ceo cas purvoier de remedie ordeigna par auctorite du parlement tenuz meſme lan qe null philicer exigenter ne autre officer depuis meſme le temps ferroit tiel entre en aſcun ſuyte ſinon qe le pleintif en meſme le ſuyte avaunt qe aſcun tiel entre ſerroit fait apparage en le propre perſone devaunt aſcun des juſtices de lieu lou le plee fuiſt ou ſerroit pendant & illoeqes ſerroit jure ſur un livre qil fuiſt meſme la perſone en qe noun le dit ſuyte fuiſt ſuye ou qe autre creable perſone de ſone counſaill ferroit tiel ſerement pur luy. Er qe le dit ordeinaunce dureroit tanqe al prochein parlement apres ceo. Noſtre dit ſeignur le Roy conſiderant outre ceo ſemblable damagez le quel avient ſibien a luy come a ſez povre lieges

&

& ſubjectz pur ceo qe en les recordes des divers & pluſours utlagaries lentre eſt qe les parties apparent par lour attourneys lou les attourneys nount garraunt de recorde a cauſe de quel les ditz utlagariez ſount reverſable & pur le greindre partie reverſez ad ordeigne par auctorite diceſt parlement qe le dit eſtatuit ſoit afferme tenuz & garde a durer a toutz jours. Et qe null officer contenuz en le dit eſtatut face le contrarie dicell ſur peyne de forfere xl.s. a Roy cheſcun foitz qe il eſt de ceo atteint par due examination feet par aſcun des juſtices de meſme le place devaunt qe aſcun entre ou recorde eſt. Et qe cheſcun attorney qe nad ſon garraunt entre de recorde en toutz ſez ſuytz en les queux proc' de Capias & exigent eſt agardable meſme le terme en le quel lexigent eſt agarde ou devaunt & ſur ceo atteint par ſemblable examination pur cheſcun foitz qe il iſſint offende encourge la peyne avauntdit.

cords of divers and many outlawries, the entry is, that the parties do appear by their attornies, where the attornies have no warrant of record, by reaſon whereof the ſaid outlawries be reverſible, and for the moſt part reverſed hath ordained by authority of this parliament, That the ſaid ſtatute be affirmed, holden, and kept to endure for ever. (6) And that no officer contained in the ſaid ſtatute, ſhall do to the contrary of the ſame, upon pain of forfeiture of forty ſhillings to the King, every time that he of that ſhall be attainted by due examination made by any of the juſtices of the ſame place before whom any entry or record is. (7) And that every attorney which hath not his warrant entered of record in all his ſuits wherein proceſs of *Capias* and *Exigent* be awardable, the ſame term in which the *Exigent* is awarded, or before, and upon that be attainted by like examination for every time that he ſo offendeth, he ſhall incur the pain aforeſaid.

The ſtatute of 10 H. 6. c.4. rehearſed and made perpetual.

The penalty if an attorney records not his warrant the ſame term the Exigent is awarded. 3 Ed. 1. c. 29. 32 H. 8. c. 30. 2 & 3 Ed. 6. c. 32. 18 El. c. 14.

CAP. X.

Commiſſions of ſewers ſhall be awarded where need ſhall require, during ten years.

ITEM, whereas at the parliament holden at *Weſtminſter*, at the xv. of St. *Michael*, the ſixth year of the reign of our ſaid ſovereign lord the King for the great damages and loſſes, which happen by the great riſing of water of the ſea in divers parts of this realm, by authority of the ſame parliament it was ordained and granted, That by ten years then next enſuing, ſeveral commiſſions of ſewers ſhould be made to divers perſons by the chancellor for the time being; to be named in all the parts of the ſaid realm, where need ſhould be, after the form that followeth in the ſame ſtatute. And now of late in divers parts of the ſaid realm by the great riſing of water of the ſea, many towns and lands in great quantity be drowned and deſtroyed, to the great hindrance of the ſaid realm, and many great damages be likely to happen if remedy be not haſtily provided in this behalf: The King, willing to provide for the ſame, hath ordained

Ex. edit. Raſt.

Commiſſion of ſewers.

dained and ſtabliſhed by authority of this parliament, That by ten years next enſuing after this preſent parliament, ſeveral commiſſions of ſewers ſhall be made to divers perſons by the chancellor of *England* for the time being, to be named in all the parts of the ſaid realm, where need ſhall be, after the form and effect of a commiſſion contained in the ſaid ſtatute the ſame ſixth year. And moreover he hath ordained and ſtabliſhed by the ſame authority, That all ſuch commiſſioners have power to make, ordain, and execute ſtatutes and ordinances and other affairs after the effect and purport of the ſaid commiſſions.

6 H. 6. c. 5.

CAP. XI.

Of what yearly value in lands a juſtice of peace ought to be.

1 Ed. 3. ſtat. 2. c. 16.
18 Ed. 3. ſtat. 1. c. 2.
13 R. 2. ſtat. 1. c. 7.

ITEM, *Whereas by ſtatutes made in the time of the King's noble progenitors, it was ordained, That in every county of* England *juſtices ſhould be aſſigned of the moſt worthy of the ſame counties, to keep the peace, and to do other things, as in the ſame ſtatutes fully is contained; which ſtatutes notwithſtanding now of late in many counties of* England, *the greateſt number have been deputed and aſſigned, which before this time were not wont to be, whereof ſome be of ſmall having, by whom the people will not be governed nor ruled, and ſome for their neceſſity do great extortion and oppreſſion upon the people, whereof great inconveniencies be likely to riſe daily if the King thereof do not provide remedy:* (2) the King willing againſt ſuch inconveniencies to provide remedy, hath ordained and eſtabliſhed, by authority aforeſaid, That no juſtice of peace within the realm of *England*, in any county, ſhall be aſſigned or deputed, if he have not lands or tenements to the value of xx. li. by year; (3) and if any be ordained hereafter to be juſtice of peace in any county, which hath not lands or tenements to the value aforeſaid, that he thereof ſhall give knowledge to the chancellor of *England* for the time being, which ſhall put another

ITEM come par les ſtatutz faitz en temps du nobles progenitours du Roy ordeigne ſoit qe en cheſcun counte dEngleterre ſoient aſſignez juſticez de la pluis vaillaunt du meſmes les countees pur garder la peas & autres choſes affaire come en meſmes leſtatutz pleinement eſt contenuz les queux eſtatutz nient obſtantz en pluſours countees dEngleterre ore tarde ount eſte deputez & aſſignez pluis graunde noumbre qe ne ſoleit avaunt, cez heures dount aſcuns ſount de petit avoir par queux les gentz ne voillent eſtre governez ne demeſnez & aſcuns pur lour neceſſite ſount graunde extortion & oppreſſion ſur le people dount graundez inconvenientz ſount ſemblablez de ſurdier de jour en autre ſi remedie ent par le Roy ne ſoit purveux. Le Roi voillant encontre tielx inconvenientz purvoier de remedie ordeigne & eſtablie par lauctorite deſuiſdit qe null juſtice du peas deins le roialme dEngleterre en null counte ſoit aſſigne ou depute ſil neit terrez & tenementz a la value de xx. li. par an et ſi aſcun ſoit ordeigne en apres juſtice du peas en aſcun countee qi nad terrez & tenementz a la value ſuiſdit qe il de ceo notiſie le chaunceller dEngleterre

No man ſhall be juſtice of peace unleſs he hath lands to the yearly value of xx. li.

Cro. Jac. 643.

terre pur le temps eſteant le quel mette un aultre ſuffiſaunt en ſon lieux et ſil ne face le dit notification come devaunt deins un moys apres ceo qe il ad notice du tiel commiſſion ou ſil ſeye ou face aſcun garaunt ou precept par force du tiel commiſſion qe il encourge la peyne de xx. li. & nientmeins ſoit ouſte del commiſſion come devaunt & eit le Roy lun moite dù dit peyne & celuy qi voet ſuer pur le Roy lautre moite & eit celuy qi enſy veult purſuer pur le Roy & pur luy meſmes action a deman er meſme la peyne par brief du dette al commune ley.

Purveu toutz foitz qe ceſt ordenaunce ne ſe extende as citees villes ou burghs queux ſount countees incorporates de eux meſmes ne as citees villes ou burghs qe ount juſtices de peas des gentz demurantz en icell par commiſſion ou graunte du Roy ou de ſez progenitours. Purveu toutz foitz qe ſils ne ſoient gentz ſuffiſauntz eiantz terres & tenementz a la * *value* ſuiſdit apris en la ley & de bon governance deins aſcun tiel counte qe le chaunceller dEngleterre pur le temps eſteant eit poair de mettre autres diſcretz apris en la ley en tielx commiſſions meſqe ils ne eient terres & tenementz a la value ſuiſdit par ſa diſcretion.

another ſufficient in his place; (4) and if he give not the ſaid knowledge (as before) within a month after that he hath notice of ſuch commiſſion, or if he ſit, or make any warrant or precept by force of ſuch commiſſion, he ſhall incur the penalty of xx. li. and nevertheleſs be put out of the commiſſion as before, (5) and the King ſhall have one half of the ſaid penalty, and he that will ſue for the King, the other half; and he that will ſue for the King, and for himſelf, ſhall have an action to demand the ſame penalty by writ of debt at the common law. 1 Shower, 399.

Certain perſons excepted to whom this ſtatute doth not extend.

II. Provided always, That this ordinance ſhall not extend to cities, towns, or boroughs, which be counties incorporate of themſelves, nor to cities, towns, or boroughs which have juſtices of peace of perſons dwelling in the ſame by commiſſion or warrant of the King, or of his progenitors. (2) Provided alſo, That if there be not ſufficient perſons having lands and tenements to the value aforeſaid, learned in the law, and of good governance, within any ſuch county, that the chancellor of *England* for the time being ſhall have power to put other diſcreet perſons, learned in the law, in ſuch commiſſions, though they have not lands or tenements to the value aforeſaid, by his diſcretion.

* The word value, which is in the printed editions, Mr. Cay obſerves is not on the roll.

CAP.

CAP. XII.

Appeals or indictments of felony committed, in a place where there is none such.

9 H. 5. c. 1.

ITEM, *Whereas in the parliament holden at* Weſtminſter *the ſecond day of* May, *the ninth year of the reign of King* Henry *the Fifth, father to the King that now is, amongſt other things it was ordained and eſtabliſhed, for that many people by malice, envy, and revenge, cauſe often the King's liege people to be appealed or indicted in divers counties of treaſons or of felonies, ſuppoſing by the ſaid appeals or indictments, that the ſaid treaſons or felonies were done in a certain place in ſuch a county where the indictment is made, or ſuch a place as is or ſhall be declared by the ſaid appeals, where no ſuch place is in the ſame county, that the proceſs of the ſame ſhall be void, and holden for none*; (2) *and that the indictors, procurators, and conſpirators, ſhall be alſo puniſhed by impriſonment and fine, and ranſom for the King's advantage, by the diſcretion of the juſtices*; (3) *and that the ſaid appellees or indictees may have writs of conſpiracy againſt their indictors, procurators, and conſpirators, and ſhall recover their damages.* (4) *And this ordinance ſhall ſtand in his force until the next parliament to be holden after the coming again of the ſaid late King into* England, *from beyond the ſea*; (5) *which ſtatute by the deceaſe of the ſaid late King, by opinion of ſome is expired, and by the opinion of ſome not expired.* (6) The ſame our lord the King that now is, conſidering that the ſaid ordinance was good and profitable for,

ITEM come al parlement tenuz a Weſtm' al ſeconde jour de May lan du regne du Roy *Henry* quint pier au Roy quoreſt ixme entre autres ordeigne fuiſt & eſtablie pur ceo qe pluſours gentz par malice enmite & vengeance facent ſovent foytz des foialx lieges du Roy eſtre appellez ou enditees en divers countees des treſons ou des felonies ſuppoſantz par les ditz appelles ou enditementz qe les ditz treſons & felonies furent faitz en un certein lieu en tiel countee ou lenditement eſt fait ou tiel lieu come eſt ou ſerra declare par les ditz appelles lou null tiel lieu eſt en meſme le countee qe le proceſſe dicell ſoient voidez & tenuz pur null et qe les enditours procuratours & conſpiratours ſoient auxint puniz par impriſonement fyn & ranſeon pur avantage du Roy par diſcretion des juſtices et qe les ditz appellez ou enditees purront aver briefs de conſpiracie vers lour enditours procuratours & conſpiratours & recoverer lour damages. Et qe ceſt ordenaunce eſtoiſe en ſa force tanqe a prochein parlement a tenier puis la revenue le dit nadgairs Roy en Engleterre de pardela le quel eſtatuit par le treſpaſſement du dit nadgairs Roy par oppinion des aſcuns eſt expire & par oppinion de aſcuns nient expire. Meſme noſtre ſeignur le Roy qoreſt conſiderant qe la dit ordenaunce fuiſt bon & profitable pur le bien de luy & ſez lieges ad declare

A writ of conſpiracy maintainable againſt the indictors, procurators, and conſpirators. Regiſt. 134. Raſt. pl. 123. F. N. B. 115. K.

clare & ordeigne par auctorite diceſt preſent parlement qe la dit ordenaunce fait le dit an ix$_{me}$ & enſy par la mort de ſon dit pier come aſcuns entendent expire & nient autrement repelle ſoit & demurge effectuell & availlable eſtatuit & ordenaunce en ley perpetuelment a durer.

for the weal of him and his liege people, hath declared and ordained by authority of this preſent parliament, That the ſaid ordinance made in the ſaid ninth year, and ſo by the death of his ſaid father, as ſome think, expired, and not otherwiſe repealed, ſhall be and abide an effectual and available ſtatute and ordinance in law perpetually to endure.

A confirmation of the ſtat. of 7 H. 5. c. 1. & 9 H. 5. c. 1. touching appeals or indictments of felony or treaſon

CAP. XIII.

A confirmation of the ſtatute of 9 Hen. V. c. 2. *concerning forfeitures on outlawries in the county of* Lancaſter.

ITEM, *Whereas at a parliament holden at* Weſtminſter, *the ſecond day of* May, *the* ix *year of the reign of King* Henry *the Fifth, father to the King that now is, among other things it was ordained and ſtabliſhed, That none of the King's liege people, againſt whom any exigent ſhall be awarded, or outlawed at the King's ſuit in time to come, or at the ſuit of the party in the county of* Lancaſter, *ſhould forfeit any of his goods or chattels, lands or tenements in other counties; except the goods and chattels lands or tenements, which the ſaid outlaws have in the ſame county of* Lancaſter. *Provided always, That the ſtatute made the firſt year of King* Henry *the Fourth, father to the ſame King* Henry *the Fifth, againſt the people of the county of* Cheſter, *which do to divers of the King's liege people in divers counties of* England, *divers manſlaughters, murders, robberies, batteries, treſpaſſes, and other riots and offences, ſhall ſtand in his force, notwithſtanding this ordinance. And that the ſaid ordinance ſhall ſtand in his force till the parliament firſt to be holded, after the return of the ſaid late King Henry the Fifth, into* England *from beyond the ſea, which ſtatute by the deceaſe of the ſaid late King* Henry *the Fifth, by opinion of ſome is expired, and by the opinion of ſome not expired:* our ſovereign lord the King, conſidering the premiſes, hath declared and ordained by authority of this preſent parliament, That the ſaid ordinance, in the manner and form made the ſaid ix. year, by the death of the ſaid late King *Henry* the Fifth, as ſome think expired and not otherwiſe repealed, ſhall be and remain effectual, and an available ſtatute and ordinance in law to endure till the next parliament, and ſo forth for ever, if ſo be that betwixt this and the ſame next parliament, no ſuch inconvenience happen in this behalf, for the which it ſhall ſeem to the King, and the lords of the parliament at this time, that it ſhall not be expedient this ordinance to endure longer after the ſame next parliament.

Ex edit. Raſt. Exigend. Outlawry. County of Lancaſter.

Cheſter.

9 H. 5. c. 2. 20 H. 6. c. 2. 31 H. 6. c. 6.

CAP.

CAP. XIV.

The penalty for taking bribe in the arraying of a jury.

Perjury. Panels.

ITEM, *forasmuch as great perjuries daily abound within the realm of* England, *more than were wont to be in times paſt, by occaſion of favourable arrays and panels made by the ſheriffs and underſheriffs, which have power to make or array ſuch arrays or panels for money, and great rewards that they take for the ſame, whereby divers of the King's liege people be diſherited and hindered, and other put to great loſs of their goods and chattels, and ſome to great peril of their lives, againſt right, good faith, and conſcience*: the King conſidering the premiſſes, and willing to avoid ſuch perjuries, hath ordained and

Sheriff.

granted by authority aforeſaid, That if any ſheriff, underſheriff, or other, which have power to make and array ſuch arrays and panels, take by him or by any other to his uſe, any hire, gift, or reward to make or array ſuch arrays or panels, that he which feeleth himſelf grieved in this behalf, ſhall have his ſuit by writ or by bill againſt the ſheriff, underſheriff or other, which maketh ſuch arrays or panels, before the juſtices where the ſaid arrays and panels ſhall be returned, to recover ten times as much as they ſhall receive for making ſuch arrays or panels. And the ſaid juſtices ſhall have power by authority aforeſaid, to hear and determine ſuch ſuits, as well by examination of the defendants in theſe ſuits, as by trial of inqueſts thereof to be taken, and to give judgment for the ſaid plaintiffs, againſt the ſaid defendants, and every of them which ſo ſhall be found guilty, and upon that to award execution. And in every ſuch ſuit by writ, ſuch proceſs ſhall be awarded as ſhould be awarded in a writ of treſpaſs done againſt the King's peace. Provided, That every ſuit which ſhall be taken againſt the ſheriffs, underſheriffs, or other, which ſhall make or array ſuch arrays or panels, be taken in the ſame counties where they ſhall be ſheriffs, underſheriffs or officers at the time of ſuch panels or arrays to be made or arrayed. And that this ordinance ſhall begin to hold place at the feaſt of *Eaſter* next coming, and ſhall endure till the next parliament. And if at the next parliament it ſhall ſeem to the King and to the lords, which then ſhall be in the ſame parliament, that this ordinance is good for the weal of the King and of his realm, then this ordinance ſhall endure for ever: *ſaving always to every perſon his liberty and franchiſe.*

CAP. XV.

It ſhall be felony to carry wool or woolfels to any other place than to Calais, *ſaving ſuch which paſs the ſtreights of* Marrock.

Staple of Calais. Wools woolfels, &c. 3 Inſt. 95.

ITEM, *the King conſidering how divers perſons, by divers ſubtil imaginations of deceit, carry and bear away wools and woolfels out of this realm, to other places than to the ſtaple of* Calais, *in deceiving the King of his cuſtoms and ſubſidies, and to the deſtruction of*

the

the ſaid ſtaple of Calais: hath ordained by the authority aforeſaid, That no manner of perſon, of what condition that he be, ſhall carry, or do to be carried any wools or woolfels cuſtomably out of this realm, to other places than to the ſtaple of *Calais*, without the King's ſpecial licence, upon pain of felony. And if any perſon from henceforth do contrary to this ordinance, and thereof be convict or attainted, that he be adjudged for a felon. And that as well commiſſioners aſſigned as the juſtices, in every county where ſuch wools and woolfels ſhall be ſo carried out, ſhall have power and authority by the ſame ordinance to inquire of the premiſſes, and then to hear and determine. Felony.

Provided always that the wools, which paſs the ſtreights of Marrock, *ſhall be in no wiſe compriſed within this ordinance.* Streights of Marrock.

CAP. XVI.

There ſhall be but one meaſure of cloth through the realm by the yard and the inch, and not by the yard and the handful, according to the London *meaſure.*

ITEM, *foraſmuch as it is meritorious and alms, to depart the truth from the deceit, as now of late in a parliament holden at* Weſtminſter, *much deceit was put out, that greatly endamaged many perſons, which was called a Sauft, otherwiſe called a powder or an hauncer, which grieved many faithful people, and as now it is to be conſidered, that great deceits be now uſed, which do endamage the poor cloth-makers and the ſellers of cloths which in meaſuring unduly without reaſonable meaſure, as well of broad cloth and ſtreit as much by the hands of the merchants aliens, as denizens, as well in fair, market, city, and borough, and ſpecially in the city of* London, *as in other places, where ſuch cloth-makers and ſellers of cloth be moſt commonly uſed, and in time to come ought to be repairing, for where they were wont to meaſure the cloth by the yard and the full inch, now they will meaſure by the yard and the full hand, which groweth to the increaſe of the buyer two yards of every cloth of* xxiiij. *yards, which increaſe turneth to the avail of no man, of what degree ſoever he be, but only to the buyer. For when a lord ſhall buy his livery, he ſhall find the ſame in meaſure or in price. And ſo they be oppreſſed with a great and unreaſonable meaſuring of their cloths, for where any merchant of this land, but at* London, *will make a cloth in meaſuring* xxiiij. *yards, they will make thereof* xxij. *or leſs, ſaying that it is the meaſure of* London: *by which oppreſſion many men be grievouſly endamaged.* Cloth-makers. London. Meaſuring of Cloth.

our ſovereign lord the King, conſidering the premiſſes, doth ordain by the authority aforeſaid, in every place in this land to be one certain meaſure, whereas there is a warden of the aulnage of cloth that he have a line made of ſilk or of thread, of the right meaſure in manner of ſtreight tiſſue, ſealed at both ends, after the advice of the barons of the exchequer. And every warden of the aulnage ſhall pay for his line, which line ſhall contain in length twelve yards, and twelve inches, and the ſaid line ſigned at every yard an inch, and at the end of the half yard, half an inch, the quarter of a yard, a quarter of an inch, to meaſure a whole Meaſure. Warden of aulnage.

Line ſealed.

whole cloth or a dozen broad or ſtreight, meaſuring for the dozen of cloth watered, twelve yards and twelve inches, and of dry cloth unwatered fourteen yards and fourteen inches; ſo meaſuring the length till the end of the cloth, according as it is of length in manner as aforeſaid: when the ſaid warden of the aulnage is required, taking for his labour for every whole cloth of broad cloth, a penny, and for every ſtreight cloth a farthing. And in the city of *London*, and other cities, boroughs, fairs, and markets, where cloth is moſt uſed to be ſold, that there the warden of the aulnage, or his deputies ſhall be ready to do right betwixt merchant and merchant, if he be required. Provided, That if the merchant ſeller have a line ſealed with the King's ſeal of the exchequer, in the manner afore rehearſed ready, then himſelf to meaſure his cloth by the ſame in reaſonable manner, if they may not agree to meaſure by the yard, any whole cloth or dozen broad or ſtreit, any franchiſe notwithſtanding. And if the merchant ſeller meaſure not rightfully but deceitfully and that immediately may be proved by indifferent perſons, then he ſhall forfeit for every cloth ſix ſhillings and eight pence, whereof two parts ſhall be to the King, and the third part to him which will ſue. And if any merchant buyer will refuſe this ordinance, then he ſhall forfeit an hundred ſhillings, two parts to the King, the third part to him that will ſue for the ſame. And ſo one manner of rightful meaſuring ſhall be uſed in all this land, as well as of right weight. And that this ordinance ſhall endure till the next parliament.

Merchant deceitfully meaſuring.

CAP. XVII.

Veſſels of wine, oil, and honey, ſhall be gauged.

ITEM, *becauſe all the tuns, pipes, tertians and hogſheads of wine, oyl, and honey, vendible within the realm of* England, *ought and were wont according to the antient aſſiſe of the ſame realm, to contain a certain meaſure, that is to ſay, every tun twelve-ſcore and twelve gallons, every pipe ſix-ſcore and ſix gallons, every tertian four-ſcore and four gallons, and every hogſhead three-ſcore and three gallons*; (2) *and by divers ſtatutes it hath been ordained, That the tuns and pipes of wine ſhall be gauged*; (3) *but for the gauging of tuns, and pipes of oil and honey, or of tertians and hogſheads of wine, no ordinance hath been made in certain before this time, to the great damage of the King*

Confirmed by 28 H. 8. c. 14. ſ. 5.
2 Leonard, 38, pl. 52.

ITEM, pur ceo qe toutz les tonels pipes tertians et hoggeſhedes de vin oyle & mele vendables deins le roialme dEngleterre doient & ſoloient ſolonc launcien aſſiſe de meſme le roialme conteiner un certein meſure ceſtaſſavoir cheſcun tonell $\frac{xx}{xij}$ xij galons cheſcun pipe $\frac{xx}{vj}$ vj. galons cheſcun tertiane $\frac{xx}{iiij}$. iiij. galons cheſcun hoggeſhed $\frac{xx}{ij}$. ij. galons & par divers eſtatuitz ſoit ordeigne qe les tonels & pipes de vin ſoient gaugez mais pur le gauger de tonels & pipes de oyle & mele ne de tertians & hoggeſhedes de vin null ordenaunce de certein eſtoit fait devant cez heures au graunde damage du Roy & du ſon people. Le Roy voillant

lant encountre ceſt damage purvoier de remedie en ceſt partie ad graunte & ordeigne par auctorite deſuiſdit qe deſore enavaunt toutz maners tonels pipes tertians & hoggeſhedes tant de vin come de oyle & mele a vendre deins le dit roialme ſoient bien & loialment gaugez par le gaugeour du Roy ou par ſon deputee devaunt qe ils ſoient venduz ſur peyne de forfaire au Roy tout le vin oyle & mele en contrarie venduz ou la value dicell. Et en cas qe aſcun perſone de quelqe paiis qil ſoit deſore enavaunt vende a aſcun liege du Roy pur aſcun price en certein aſcun tonell pipe tertian ou hoggeſhed de vin oyle ou mele qe defaille aſcunement del aſſiſe & meſure avauntdit qil alowe & rebate de meſme la price a lachatour de tiel vin oyle & mele a taunt come tiel default par la rate amontera ſur peyne de forfaire au Roy le value de tout le vin oyle & mele au contrarie venduz aſcun prive covenant fait ou affaire entre le vendour & lachatour au contrarie de ceſt ordenaunce non obſtant. Et eit cheſcun qi eſpie aſcun des forfaitures avaunditz & ent enforme le treſorer dEngleterre ou les barons del eſchequer le moite de meſmez les forfaitures per ſon travaill.

Purveux toutz foitz qe le dit gaugeour preigne & eit pur ſon labour entour le gaugeour de cheſcun tonell & pipe de oyle & mele ſicome if prent et ad de cheſcun tonell & pipe de vin & pur cheſcun tertiane & hoggeſhed ſolonc lafferant.

King and of his people. (4) The King willing againſt this damage to provide a remedy in this behalf, hath granted and ordained by authority aforeſaid, That from henceforth all manner of tuns, pipes, tertians, and hogſheads, as well of wine as of oil, to be ſold within the realm, ſhall be well and lawfully gauged by the King's gauger, or by his deputy, before they be ſold, upon pain to forfeit to the king all the wine, oyl, and honey, contrary ſold, or the value of the ſame. (5) And in caſe that any perſon, of what country that he be, from henceforth ſell to any of the King's liege people, for any price in certain, any tun, pipe, tertian or hogſhead of wine, oil, and honey, which wanteth in any wiſe of the aſſiſe and meaſure aforeſaid, that he allow and abate of the ſame price to the buyer of ſuch wine, oil, and honey, as much as ſuch default after the rate ſhall amount unto, (6) upon pain to forfeit to the King the value of all the wine, oil, and honey to the contrary ſold, any privy covenant made or to be made betwixt the ſeller and the buyer contrary to this ordinance notwithſtanding. (7) And every perſon that eſpieth any of the forfeitures aforeſaid, and thereof doth inform the treaſurer of *England*, or the barons of the exchequer, ſhall have the half of the ſame forfeitures for his labour.

II. Provided always, That the ſaid gauger take and have for his labour for the gauging of every tun and pipe of oil and honey, as he taketh and hath of every tun and pipe of wine, and for every tertian and hogſhead after the rate.

All veſſels of wine, oil and honey, ſhall be gauged and the content of every veſſel to be ſold.

Abatement ſhall be made of the price for the quantity wanting. 4 Mod. 101.

The gauger's fee for gauging of a tun or pipe of honey or oil. 27 Ed. 3. ſtat. 1. c. 8. 23 H. 6. c. 16. 1 R. 3. c. 13. 11 H. 7. c. 4.

CAP.

CAP: XVIII.

How much a captain ſhall forfeit that doth detain any part of his ſoldiers wages.

The inconveniencies enſuing by captains not paying of their ſoldiers.

ITEM, *For that the King is and hath been well certified of many great deceits and falſities, which hath been done to him and to his realm by ſome of the captains which have before this time indented with the King to ſerve him in the feat of war, ſome beyond the ſea and in divers parts, as they be appointed and bound by their indentures, and ſome in his marches on this ſide the ſea, and their wages have been truly paid and contented by the King, according to their indentures, for them and for all their retinue, according to their degrees, which wages many of the ſaid captains have abuſed, and taken upon them to deduce from their ſoldiers, of ſome more, and ſome leſs; ſo that ſuch, from whom they have abated, have not been able to continue their ſervice, nor perform the ſame as of right and reaſon they ought to have done, and peradventure were willing to have done, if they had been fully paid; which hath cauſed them to fall to robbery and pillage, as well on this ſide the ſea before their going, as beyond the ſea, when they came thither, amongſt other things it hath been a great cauſe of long continuance of the war, and great damage and loſs which hath fallen to the ſeigniories and countries of the King in his obeiſance beyond the ſea, and not only that, but loſs alſo of great treaſure which hath been granted to the King, and paid in the form aforeſaid for the defence of his land.*

The forfeiture of a captain that doth detain any part

II. The King, willing againſt ſuch damages and loſſes to provide a remedy in this behalf, hath

ITEM pur ceo qe le Roy eſt & ad eſte bien apris de pluſours & graundes diſceites & fauxins queux ount eſte faitz a luy & a ſon roialme par aſcuns de les capitains qi ount avaunt ceo endentez ove le Roy de luy ſervire en le fait de guerre aſcuns de pardela & as diverſes parties ſicome ils ſount ordeignez & obligez par lour endentours et aſcuns en ſez marches de pardecea & de le Roy pur lour gages ount eſte droitment paiez & contentez accordant a lour ditz endentours pur eux & pur toutz lour retenues ſolonc lour degrees de les quelles gages pluſours des ditz capitains ount abuſez & priz ſur eux dabatier ſur lour ſoldeours daſcun pluis & daſcun meyns iſſint qe tielx ſur queux ils ount abatez nount eſte de poair de continuer lour ſervice ne ceo parfourmer come de droit & reaſon ils duiſſent aver fait & fortunement voilloient aver fait ſils uſſent eſte pleinement paiez le quel ad cauſe eux decheier a robberie & pilage ſibien devaunt lour alance de pardecea come de pardela quant ils la vendrount entre autres ad eſte une graunde cauſe de la longe continuance de la guerre & graunde damage & perde qi ount cheiez a lez ſeignuries du Roy & pays en ſa obeſance de pardela et nient ceo tantſolement mes perde auxint de graunde bien qad eſte graunte au Roy & paie en la fourme avauntdit pur la defenſe de ſa terre.

Le Roy voillant encountre autielx

autielx damages & perdes purvoier de remedie en cell partie ad ordeigne par lauctorite ſuiſdit qe null capitaine qi deſore enavaunt avera le conduite dautielx retenues & receivera les gages le Roy pur ceo abata de ſez ſouldours ne de aſcun de eux aſcun partie de lour gagez ſinon qil ſoit pur lour veſture ceſtaſſavoir ſils ſoient gagez pur un dimi an x. s. une robe un gentile home & vj. s. viij. d. pur un vadlet ſur peyne de xx. li.' pur cheſcun lance & x. li.' pur cheſcun arc au Roy ſur qi il abata ſur le tenure diceſt.

hath ordained by the authority aforeſaid, That no captain which hereafter ſhall have the conduct of ſuch retinues, and ſhall receive the King's wages for the ſame, ſhall abate of his ſoldiers, nor any of them, any part of their wages, except it be for their clothing, that is to ſay, if they ſhall be waged for half a year, ten ſhillings a gown for a gentleman, and ſix ſhillings eight pence for a yeoman, upon pain of twenty pound for every ſpear, and ten pound for a bow to the King, from whom he did abate upon the tenour of the ſame.

of his ſoldiers wages.

For what cauſe a captain may abate his ſoldiers wages, and how much.

2 & 3 Ed. 6. c. 2.

CAP. XIX.

The penalty of a ſoldier not going with, or departing from, his captain without licence.

ITEM pur ceo qe diverſes & pluſours ſoldeours devaunt ceſt temps les queux ount priſez lour gages parcell ou dimi de lour capitains & iſſint ount monſtrez & entreez de recorde lez ſoldeours du Roy devaunt ſez commiſſioners pur tielx termes pur quels lour maiſtres ount endentez ount aſcun temps maintenaunt apres lour monſtre & la receit de lour gages partie ou tout departez & alez lou ils voillent et nount my paſſez le meer ove lour ditz capitains & aſcuns paſſez le meer & longement deinz lour termes departez a lour capitains & a le ſervice du Roy ſaunce licence apparent grauntez a eux par lour ditz capitains dount ad crewe ſy graunde damage au Roy & a ſon roialme & ſi pluſours inconvenementz qe ne poient legiermement eſtre expreſſez ſicome de longe temps la experience ad monſtre & les queles ſoldeours iſſint faiſantz entaunt come en

ITEM, *ſeeing divers and many ſoldiers before this time, which have taken parcel or half their wages of their captains, and ſo have muſtered and been entered of record the King's ſoldiers before his commiſſioners, for ſuch terms for which their maſters have indented, have ſometime preſently after their muſter, and the receipt of part or of the whole of their wages, departed and gone where they would, and have not paſſed the ſea with their ſaid captains, and ſome paſſed the ſea, and long within their terms departed from their captains and the King's ſervice, without apparent licence to them granted by their ſaid captains, whereof hath grown ſo great damage to the King and to his realm, and ſo many inconveniencies, which cannot eaſily be expreſſed, as of long time the experience hath ſhewed, and the which ſoldiers ſo doing, as much as in them was, decayed the honour and reverence of the King, and have been many ways great cauſers of*

3 Inſt. 86.

the losses which have ensued in his lands and seigniories beyond the sea, and the adventure also of the persons of the lords and captains which did conduct them.

It is felony for a soldier retained to serve the King in his wars to leave his captain without licence. Enforced by 2 & 3 Ed. 6. c. 2.

II. The same King considering the premisses, and willing against such inconveniencies and damages to provide a remedy, hath ordained by the authority aforesaid, That every man so mustering and receiving the King's wages, which departeth from his captain within his term, in any manner aforesaid, except that notorious sickness or impediment by the visitation of God (which may reasonably be known) suffer him not to go, and which he shall certify presently to his captain, and shall repay his money, so that he may provide him for another soldier in his place, he shall be punished as a felon; (2) and that the justices of peace shall have power to inquire thereof, and to hear and determine the same. (3) And likewise hath ordained by the same authority, That no soldier, man of arms, or archer, so mustered of record, and going with his captain beyond the sea, shall return into *England*, within the term for which his captain hath retained him, nor leave his captain there in the King's service, and in adventure of the war, except that he hath reasonable cause shewed by his captain, and by him to the chief in the country having royal power, and thereupon shall have licence of the said captain, witnessed under his seal; and the cause of his licence. (4) And who that so doth muster of record, and come without letters testimonials of the captain

4 H. 4. c. 13.
7 H. 7. c. 1.
6 Co. 27. a
9 Ed. 4. f. 26.

Chief officers of ports, &c. shall arrest soldiers return-

eux fuist anientereront lonour & la reverence du Roy & ount estez plusours graundes causeours des damages qe ount cheiez en sez terres & seignuries de pardela & laventure auxint de les persones de les seignurs & capitains qi eux conducerount.

Mesme le Roy considerauntles premisses & voillant encontre tielx inconveniences & dammages purvoier de remedie ad ordeigne par lauctorite suisdit qe chescun homme issint mousstrant & receyvant les gages le Roy le quel departe a son capitain deins son terme en ascun manere avaundit ovesqe ceo qe notoire maladie ou impediment par la visitation de Dieu le quel poet estre conuz raisonable ne luy lessoet & le quel il certifia maintenaunt a son capitain & repaie sa money sicome il poet purvoier luy pur un autre soldeour en son lieu soit punyshe come un felon et qe les justices de la peas eient poair denquerrer de ceo & doier & terminer en icell. Et semblablement ad ordeigne par mesme lauctorite qe null soldeour home darmes ne archer issint mousstrez de recorde & alant ovesqe son capitain de pardela reveigne ycy en Engleterre deins le terme pur qi son capitain endentera ne lessa son capitaigne la en le service du Roy & en aventure de la guerre saunz ceo qil eit cause raisonable monstre par son capitain & par luy a le chief en le pays eiant le poair roial & sur ceo eit licence de la dit chiefteyne tesmoigne desoubz son seal & la cause de sa licence. Et qi issint mousstree de recorde & veigne saunz lettres testimonialx de le chiefteyn come desuisdit

ſuiſdit deins ſon terme de pardecea qe les mairs baillifs & autres miniſtres du Roy de quel port ou lieu en qi il ou ils arrivount eient auctorite de eux mettre en areſt & de eux la garder tanqe de eux ſoit enquiz et ſil poet eſtre trove par enquerre devaunt juſtices de la peas & proevez qils ount iſſint monſtrez de recorde & departiez a lour capitains deſuiſditz ſaunz licence come eſt deſuiſdit qe adonqes ils ſoient puniz come felons.

captain (as is ſaid) within his term on this ſide the ſea, that the mayors, bailiffs, and other the King's miniſters, at what port or place they ſhall arrive, ſhall have authority to put them in arreſt, and them there to keep until it be of them inquired; (5) and if it be found by inquiry before juſtices of peace, and proved that they have ſo muſtered of record, and departed from their captains aforeſaid without licence, as afore is ſaid, that then they ſhall be puniſhed as felons.

ing from beyond the ſea, and detain them until the cauſe of their return be tried.

Regiſt. 191.
2 R. 2. ſtat. 1. c. 4.
4 & 5 Ph. & M. c. 3.
Extended to mariners and gunners by 5 El. c. 5. ſ. 27.

Statutes made at *Weſtminſter*, *Anno* 20 HEN. VI. and *Anno Dom.* 1442.

NOSTRE ſeignur le Roy a ſon parlement tenuz a Weſtm' le jour de converſion de Seint Paule le xxv. jour de Januair' lan de ſon regne xx^e^ a lonour de Dieu & pur le bien de luy & ſon roialme de ladvis & aſſent des ſeignurs eſpirituelx & temporelx & a la eſpecial requeſt des communes en meſme le parlement aſſembleez ad fait ordeigner & eſtableir diverſez eſtatuitz & ordinaunces en la fourme qenſuit.

OUR *lord the King, at his parliament holden at* Weſtminſter, *the day of the converſion of St.* Paul, *the five and twentieth day of* January, *the twentieth year of his reign, to the honour of God, and for the weal of him and of his realm, by the advice and aſſent of the lords ſpiritual and temporal, and at the ſpecial requeſt of the commons in the ſame parliament aſſembled, hath made, ordained, and eſtabliſhed divers ſtatutes and ordinances in the form following.*

CAP. I.

All letters of ſafe conducts ſhall be inrolled in the chancery.

PRimerement come poverez merchantz diceſt roialme de jour en autre ſount diſrobbes par les enemys du Roy ſur le mer & deins meſme le roialme de lours niefs & biens & merchaundiſes de graunde richeſſe & lour corps priſez empriſonez ove graunde dureſſe & myz a graunde finaunces & raunſon & les poverez lieges du

FIRST, *Whereas poor merchants of the King of this realm daily be robbed by the King's enemies upon the ſea, and in divers rivers and ports within the ſame realm, of their ſhips, goods, and merchandiſes, of great riches, and their bodies taken and impriſoned with great dureſs, and put to great fines and ranſoms, and the King's poor ſubjects dwelling nigh the*

Miſchiefs ariſing from the non-inrollment of letters of ſafe conduct.

the sea-coasts taken out of their own houses, with their chattels and infants upon land, and carried by the said enemies where it pleased them; (2) which mischiefs come by reason that the said merchants be discouraged with force and puissance of ships, and of people defensible, to keep the sea and the coasts of the same, for that the ships, goods, and merchandises by them taken from the said King's enemies, be sometimes claimed by the King's enemies, by colour of safe conducts not duly purchased, nor of record inrolled, so that the King's subjects may have notice of them, (3) and sometime be claimed by merchants strangers of the King's amity, to be belonging to them, by colour of false witnesses of their nation, and by letters of marque and charters party by them counterfeited, and by such proofs upon such claims be restored to the same goods and merchandises often taken in ships and vessels belonging to the King's enemies, and the said King's subjects put to great vexation, and loss of their own goods, (4) whereby the said King's enemies be greatly enriched, and their navy strongly increased, and the navy and merchandise of the said realm of our lord the King greatly diminished, and such damages and inconveniencies daily be likely to increase and come to the said realm of our said lord the King, if speedy remedy in this case be not provided:

All letters of safe conduct, not inrolled in chancery, to be void. 18 H. 6. c. 8.

II. *Our said lord the King considering the premisses, and that if people of the King's amity be feared and discouraged to freight the ships and vessels of the King's enemies and adversaries, their navy in time to come will be decreased and diminished, and the navy of the King's subjects and friends increased and inlarged;* by the advice and assent aforesaid,

du Roy demurantz pres les costes du meer hors de lours propre meason ove lour chateux & ensauntz sur le terre prisez & ove les ditz enemys ou lour pleist amesnez queux meschiefs veignent pur ceo qe les ditz merchauntz sount discoragez ove force & puissans de niefs & de gentz defensibles de gardier le meer & les costes dicell a cause qe les niefs biens & merchandises par eux prisez des ditz enemiz du Roy sount ascun foitz claimez par les enemys du Roy par colur de saufconducts nient duement purchacez ne de recorde enrollez ensy qe les subgetz du Roy purrount aver notice de eux et ascun foitz sount claymez par marchantz estraungez del amiste du Roy destre a eux appurtenauntz par colour de tesmoignez meins verrois de lour nation & par merches lettres & chartres parte par eux countrefaitz & per tielx provez sur tielx claimes sount restorez a mesmes les biens & merchandises treffovent foitz prisez en niefs & vesselx appurtenauntz a les enemyes du Roy & les ditz enemyz du Roy graundement sount enrichez & lour navie fortement encrece & la navie & merchandise du dit roialme nostre dit seignur le Roy grevousment amenusez & tielx damages & inconvenientisez de jour en autre sount verisemblable dencrecer & avenere a dit roialme.

Nostre dit seignur le Roy conssideraunt les premisses & qe si gentz del amistee du Roy eient pavoire & discorage daffretter les niefs & vesselx de les enemyes & adversaries de Roy lour navie en temps avenir serra decresse & amenuse & la navie

des

des ſubgitz & amyez du Roy encreſſe & enlarge del advys & aſſent deſuiſdit & a leſpeciale requeſt des ditz communes pur eſchewer les myſchiefs ſuiſditz ad ordeigne par auctorite du dit parlement qe toutz lettres de ſaufconduit a grauntierz a les enemys adverſaries du Roy ou autre gentz qeconqes ſoient enrollez en la chauncerie du Roy de recorde avaunt qe tielx lettres ſerrount grauntez et qe toutz tielx lettres de ſaufconduct en apres a grauntiers nient enrollez de recorde en la dit chauncerie avaunt le livere a eux affaire en la manere come eſt dit ſoient voidez & de null force & effect.

Et enoutre ſi en apres aſcuns biens ou merchandiſes ſoient priſez par les ditz ſubgitz du Roy ſur le meer ou les coſtes dicell chargez en aſcun nief ou autre veſſell qeſt appurtenaunt a les eneiniz ou adverſaries du Roy pur le temps eſteauntz nient eiantz lettres de ſaufconduitz ſuffiſauntz en la forme ſuiſdit enrolles qe ceux qi meſmes les biens & merchandiſes enſy prenderount les enjoyent ſaunz aſcun reſtitution ent affaire en aſcun manere a qeconqe perſone meſmes les biens & merchandiſes enſy priſez al temps del prys de ycells ou devaunt furent appurtenauntz,

Purveu toutz foitz qe ſi les ditz ſubgitz du Roy preignantz tielx niefs chargez ove merchandiſes nient eiantz & monſtrantz tielx lettres de ſaufconduit deins meſmes les niefs al temps del dit pris les ameſnent par force a un certein port ou lieu deins le dit roialme ne ſoient endamagez en lour perſon ne biens pur tielx pris ſils ſoient preſtez a faire plein reſtitution

ſaid, and at the ſpecial requeſt of the ſaid commons, to eſchew the miſchiefs aforeſaid, hath ordained by authority of the ſaid parliament, That all letters of ſafe conduct to be granted to the King's enemies and adverſaries, or any other people whatſoever, ſhall be inrolled in the chancery of our ſaid lord the King of record, before that any ſuch letters ſhall be in any wiſe delivered to them to whom the ſame letters ſhall be granted; (2) and that all ſuch letters of ſafe conduct hereafter to be granted, not inrolled of record in the ſaid chancery, before the delivery to them to be made in the manner as is ſaid, ſhall be void, and of no force nor effect.

Prizes of goods or merchandiſes taken from the King's enemies not to be reſtored, unleſs letters of ſafe conduct are inrolled before their apprehenſion.

III. And moreover, if hereafter any goods or merchandiſes be taken by the ſaid ſubjects of our lord the King upon the ſea, or the coaſts of the ſame, charged in any ſhip or other veſſel, which is belonging to the enemies or adverſaries of our lord the King for the time being, not having ſufficient letters of ſafe conduct inrolled in the form aforeſaid, that they which ſo ſhall take the ſame goods and merchandiſes ſhall them enjoy without any reſtitution thereof to be made in any wiſe, to whatſoever perſon the ſame goods and merchandiſes ſo taken, at the time of the taking of the ſame, or before, were belonging.

Proviſo for the indemnity of the mariners, and the proof of the inrollment.

IV. Provided always, That the ſubjects of our lord the King, taking ſuch ſhips charged with merchandiſes, not having nor ſhewing ſuch letters of ſafe conduct within the ſame ſhips at the time of the ſaid taking, and bringing them by

force to a certain port or place within the ſaid realm, ſhall not be endamaged in their perſon nor goods for ſuch taking, if they be ready to make full reſtitution of the ſame ſhips and merchandiſes, within reaſonable time, after that full knowledge is made to them of ſufficient letters of ſafe conduct for the ſame ſhips and merchandiſes, inrolled in the ſaid chancery of record before the taking of them. Provided alſo,

titution de meſmes les niefs & merchandiſes dedeins temps reſonable apres ceo qe plein notice eſt fait a eux de lettres de ſaufconduct ſuffiſauntz pur meſmes les niefs & merchandiſes enrollez en la dit chaunceric de recorde devaunt le pris de yceux. Purveu auxi qe ceſt ordinaunce comence a tenir ſon force a le feſte de Seint Michell larchaungell proſchein avenir.

14 Ed. 4. c. 4. That this ordinance ſhall begin to hold his force at the feaſt of Saint *Michael* the archangel next coming.

CAP. II.

No perſon outlawed within the county of Lancaſter *ſhall forfeit any goods or lands but thoſe which he hath in the ſame county.*

Ex edit. Raſt. Exigend. Outlawry. County of Lancaſter.

ITEM, our ſaid ſovereign lord the King hath ordained by the authority aforeſaid, That none of his liege people, againſt whom Exigend ſhall be awarded or outlawry pronounced, at the ſuit of the King, or at the ſuit of the party in time to come in the county of *Lancaſter*, ſhall forfeit any of his goods or chattels lands or tenements, which the ſaid outlaws, or they againſt whom ſuch Exigend ſhall be awarded in the ſaid county of *Lancaſter*, have in the ſame county. And that by reaſon of ſuch outlawry at the ſuit of another perſon pronounced within the ſaid county of *Lancaſter*, no man ſhall be debarred nor diſabled of any manner of action, nor to claim any manner of inheritance out of the ſame county, nor diſabled to ſue any manner of action out of the ſame county, notwithſtanding ſuch outlawry upon him pronounced. Provided always, That the ſtatute made the firſt year of King *Henry* the Fourth, grandfather of the King that now is, againſt the people of the county of *Cheſter*, which do to many of the King's liege people in divers counties of *England* many manſlaughters, murders, robberies, batteries, treſpaſſes, and other riots and offences, ſhall ſtand in his force, this ordinance notwithſtanding. And that this ordinance ſhall endure till the end of ſeven years next enſuing.

County of Cheſter. 9 H. 5. c. 2. 18 H. 6. c. 13. 31 H. 6. c. 6. Rep. 33 H. 6. c. 2.

CAP. III.

It ſhall be high treaſon for Welſhmen *to take and carry away* Engliſhmen *or their goods into* Wales, *or there to withhold them.*

Confirmed for three years by 27 H. 6. c. 4. Wales.

ITEM, Foraſmuch as at the grievous complaint made to the King by the commons in the counties of *Hereford*, *Glouceſter*, and of *Shropſhire*, which counties be adjoining to the marches of

of *Wales*, and in the counties of *Somerſet*, *Cheſter*, and *Briſtol*, it was ſhewed to the ſame our ſovereign lord the King, that whereas another time in time of the noble King *Henry*, grandfather to our ſovereign lord the King that now is, the ſecond year of his reign, for the great oppreſſions and extortions, which they of *Wales* and of the marches of *Wales* daily made to people dwelling in the ſaid counties of *Hereford*, *Glouceſter*, and *Shropſhire*, in taking bringing and bearing away of their horſes, beaſts and other goods and chattels, out of the ſame counties into the ſaid marches, and ſuch goods horſes and chattels there withholding till gree be made at their will. It was ordained and eſtabliſhed, That if any beaſts, goods, or chattels, be taken within the ſame counties, and driven or brought out of the ſaid counties into *Wales*, or into the marches of *Wales*, that then the ſheriffs of the ſame counties, mayors or bailiffs of cities and boroughs, or bailiffs of franchiſes, where ſuch takings be made, ſhall ſend their letters under their ſeals to the governors, or to the ſtewards of the ſeigniories, where ſuch offenders be abiding, that they ſhall deliver ſuch diſtreſſes ſo taken, within eight days of the receipt of the ſaid letters. And if they do not, that the parties ſo grieved ſhall take any perſons goods or chattels coming out of the ſaid ſeigniories, where ſuch offenders be abiding, and them ſhall withhold, till that they be reſtored to their goods ſo taken, with their damages coſts and expences, which ſtatute is not ſufficient remedy, foraſmuch as the ſaid offenders be dwelling ſometime in one ſeigniory and ſometime in another, and have no place certain to tarry, and alſo they take to the moſt number of people of the ſaid counties coming into *Wales* and into the marmarches of *Wales*, and out of the ſaid counties and them withold, till gree be to them made at their will, and alſo oftentimes the parties grieved durſt not make execution of the ſaid ſtatute for doubt of death and many other miſchiefs and inconveniencies, which thereof ſhould enſue, ſo that the ſaid offenders be the more bold to take, drive, bring, and carry away the people of the ſaid counties their horſes, beaſts, goods, and chattels of the ſaid counties into *Wales*, and into the marches of *Wales*, whither they fled before the ſaid ſtatute, to the perpetual deſtruction and impoveriſhment of the ſaid commons, except that ſpeedy remedy thereof be made. Our ſaid ſovereign lord, willing againſt ſuch miſchiefs and inconveniencies to provide a remedy in this behalf, hath ordained by the authority aforeſaid, That if any people of the ſaid counties in *Wales*, or in the marches of *Wales*, do drive, bring, carry away, or withhold, ſuch takings and withholdings, their abbetments and receipts in *Wales* (they having knowledge of ſuch offences aforeſaid) ſhall be adjudged high treaſon. Treaſon.
And he that is thereof attainted, it ſhall be done of him as of a traitor to our ſaid ſovereign lord the King. And that the juſtices of peace in their ſeſſions in the ſaid counties ſhall have power to inquire, hear, and determine of all ſuch offenders their abettors and receivers, and to make proceſs againſt ſuch perſons indicted by two *Capias* and one *Exigend*, every *Capias* containing the ſpace Juſtice of peace.

of two months at the leaſt, betwixt the date of every *Capias* and the day of the return of the ſame. And that mention be made in the ſaid writs of *Capias* that the ſheriffs of the ſaid counties for the time being ſhall do to be proclaimed in their counties, that all ſuch perſons indicted ſhall appear before the ſaid juſtices in their ſeſſions, to anſwer of the matters contained in the ſaid indictments. Provided always, That the ſeigniories marchers, of whom ſuch offenders their abbettors and receivers hold lands and tenements, ſhall have the forfeit of them, and the lords marchers, the forfeitures of their goods and chattels found within their ſeigniories, after that they ſhall be attainted of the offences aforeſaid. And that this ordinance ſhall endure till the end of ſix years.

CAP. IV.

What duties they ſhall pay to the King which carry wools to any other place than to the ſtaples.

Wools. Woolfels, &c. Staple.

ITEM, our ſaid ſovereign lord the King hath granted and ordained, by the authority aforeſaid, That every merchant denizen for wools, woolfels, and tin, which ſhall be charged and ſhipped in any gally, carack, or other veſſel, to be brought and carried by the ſea by the King's licence or otherwiſe, to other places and ports than to the ſtaple of the King, ſhall pay to the King ſuch cuſtoms and ſubſidies and other devoirs, as merchants aliens pay to the King for ſuch merchandiſes. Provided always, That this grant or ordinance ſhall not extend to any perſons, which have licence by the King's letters patents to them made before this time, to ſhip, carry, or bring any wools, woolfels, or tin to other places or ports beyond the ſea, than to the ſtaple of *Calais*, but that they ſhall be of this ordinance clearly diſcharged and excepted.

CAP. V.

No cuſtomer, &c. ſhall have a ſhip of his own, uſe merchandiſe, keep a wharf or inn, or be a factor.

xx H. 4. c. 2. The cauſe why a common hoſtler ſhall not be a cuſtomer, controller, or ſearcher.

ITEM, *Whereas in the parliament holden at* Weſtminſter *the eleventh year of the reign of King* Henry *the Fourth, it was ordained and ſtabliſhed, That no man that had a common hoſtry in any city or borough of this realm, ſhall be cuſtomer, controller, nor ſearcher, and that to eſchew the damages and prejudices which thereof may grow, by the favour that ſuch common hoſtlers may and will make to merchants, and to other their gueſts in their offices:* (2) *And now of*

ITEM come al parlement tenuz a Weſtm' lan de regne du Roi *Henri* le quart xj. ordine fuiſt & eſtablie qe null home qi tient commune hoſtrerie en aſcun citee ou burgh diceſt roialme ſoiet cuſtumer controullour ne ſercheour & ceo pur eſchuer les damages & prejudices qi dent purront acreſcier par le favour qe tielx communes hoſtelers purroient & veudroient faier as marchauntz &, as autres lour hoſtes en lour offices. Et jatarde divers cuſtumers

of two months at the leaſt, betwixt the date of every *Capias* and the day of the return of the ſame. And that mention be made in the ſaid writs of *Capias* that the ſheriffs of the ſaid counties for the time being ſhall do to be proclaimed in their counties, that all ſuch perſons indicted ſhall appear before the ſaid juſtices in their ſeſſions, to anſwer of the matters contained in the ſaid indictments. Provided always, That the ſeigniories marchers, of whom ſuch offenders their abbettors and receivers hold lands and tenements, ſhall have the forfeit of them, and the lords marchers, the forfeitures of their goods and chattels found within their ſeigniories, after that they ſhall be attainted of the offences aforeſaid. And that this ordinance ſhall endure till the end of ſix years.

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tumers countrollers & auxi ſercheours countrollours & ſurveiours des ſercheours ount divers hommes pur eſtre lour clerkes deputes & miniſtres en lour ditz offices des queux clerkes deputes & miniſtres aſcuns ount niefs de lours propres & aſcuns eux intromittent del frette des niefs auxint achatent & vendount diverſes merchaundiſes & ount & occupiount a lour propre oeps diverſe wherwes & keyes eſteantz par les ripes del ewe lou commune diſcharge des merchaundiſe eſt eue en diverſe portz diceſt roialme par qe ſibien graunde deceit & damage journement acreſcent au Roy de ſez cuſtume & ſubſidees come graunde perde as marchauntz repairauntz a les portz ou les ditz clerks deputees & miniſtres occupient les ditez offices des queux clerks deputees et miniſtres auxi pluiſours teignent hoſtries & tavernes & auxi gardent wharves & eux & lour ſervitours ſount factours & attournes pur merchauntz deinſins & aliens par qe grandes damages & perdes journement accreſcent au Roy en ſez cuſtume & ſubſidies par le favour qe tielx clerkes deputes & miniſtres tiels hoſtries taverns & wharves teygnauntz facient as marchauntz & as autres lours hoſtes en les ditz offices & pluis greindre damages eſt ſemblable dent accreſcier en temps avenir ſi haſtif remedie ne ſoiet purvieu. Noſtre dit ſeignur le Roy voillant encountre tielx damages & perdes purvoier de remedie en ceſt partie ad ordeigne & eſtablie par lauctorite ſuiſdit qe null cuſtumer ne controller de la cuſtume clerks deputes ou

of late divers cuſtomers, controllers, and alſo ſearchers, controllers, and ſurveyors of ſearchers, have divers perſons to be their clerks, deputies, and miniſters in their ſaid offices, of which clerks, deputies, and miniſters, ſome have ſhips of their own, and ſome of them meddle with the freighting of ſhips, and alſo buy and ſell divers merchandiſes, and thereof occupy to their own uſe divers wharfs and keys, being by the water's ſides, where common diſcharge of divers merchandiſes is had in divers ports of this realm, by the which as well great deceit and damages daily do grow to the King of his cuſtoms and ſubſidies, as a great loſs to merchants repairing to the ports where the ſaid clerks, deputies, and miniſters be; (3) *alſo many hold hoſtries and taverns, and alſo keep wharfs, and they and their ſervants be factors and attornies for merchants, denizens, and aliens, by which great damage and loſs daily doth grow to the King in his cuſtoms and ſubſidies, by favour that ſuch clerks, deputies, and miniſters holding ſuch hoſtries, taverns, and wharfs, do to merchants and to other their gueſts in the ſaid offices, and greater damage is like thereof to grow in time to come, if ſpeedy remedy be not provided:* (4) Our ſaid lord the King, willing againſt ſuch damages and loſſes to provide a remedy in this behalf, hath ordained and eſtabliſhed by authority aforeſaid, That no cuſtomer, controller of the cuſtom, clerks, deputies, miniſters, nor their ſervants, factors nor ſearchers, controllers or ſurveyors of ſearches, nor their clerks, deputies, miniſters, or factors ſhall have any ſhips of their own, (5) or ſhall buy

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buy or ſell by way or by colour of merchandiſe, (6) nor they ſhall not meddle with freighting of ſhips, or have or occupy any ſuch wharfs or keys, (7) or ſhall hold any hoſtries or taverns, (8) or ſhall be any factors, or attornies for any merchant, denizen, or alien, (9) nor ſhall be hoſts to any merchant alien (10) upon the pain of xl li. to be forfeit as often as they do the contrary, that is to ſay, one half to the King, and the other half to him that will ſue in this caſe againſt any ſuch perſon doing the contrary. This ordinance to begin at the feaſt of Saint *Michael* next coming.

ou miniſtres ne lour ſervauntz ou factours ne ſercheours countrollours ou ſurveiours des ſerches ne lours clerkes deputes miniſtres ou factours eient aſcuns niefs de lour propres ou acchatent ou vendent par voie ou par colour de merchaundiſe ne eux entremittent de frett de niefs ou eient ou occupient aſcuns tielx wherves ou keyes ou teignent aſcuns hoſtries ou tavernes ou ſoient aſcuns factours ou attournes pur aſcun marchaunt denizen ou alien ne ſoient hoſtes a aſcun marchaunt alien ſur le peine de xl li. deſtre forfait ſi ſovent coment ils ſount la contrarie ceſtaſſavoir lune moite au Roy & a celuy qe voet ſuer en ceſt cas envers aſcun tiel perſone faiſant le contrarie lautre moite. Ceſt ordinaunce a commencer a le feſt de Seint Michell proſchein avenier.

CAP. VI.

A confirmation for ten years of the ſtatute of 15 HEN. VI. cap. 2. *touching the tranſportation of corn being of certain prices.*

Ex edit. Raſt. Corn licence.

ITEM, whereas at the parliament holden at *Weſtminſter*, the xv. year of the reign of our ſaid ſovereign lord the King that now is, for the common profit of all the realm, and eſpecially for the counties adjoining to the ſea, it was ordained and ſtabliſhed in the form which followeth. Item, foraſmuch as by the King it is ordained, That no man may carry or bring corn out of the realm, without the King's licence, by cauſe whereof farmers and other men, which uſe manuring of their land, may not ſell their corn but at a low price, to the great damage of the realm. Our ſaid ſovereign lord the King, willing in this caſe to provide a remedy, hath ordained and ſtabliſhed by authority aforeſaid, That it ſhall he lawful to every man to ſhip and carry all manner of corn and grain out of this realm, to any place that him pleaſeth, except all only to the King's enemies, as often and as long as a quarter of wheat doth not exceed the price of vj. s. viij. d. and a quarter of barley three ſhillings, in the port where the wheat or barley is ſo ſhipped. And that without ſuing any licence for the ſame all manner of ordinance made to the contrary notwithſtanding. Provided always, That the King be contented of his cuſtoms and devoirs. And this ordinance ſhall endure till the next parliament. Our ſaid ſovereign lord the King, foraſmuch as this ſtatute is not now in his force, and that many counties adjoining

adjoining to the ſea, may not ſell the ſubſtance of their corn, but by carriage and bringing by the ſea, hath ordained by the authority aforeſaid, That the ſtatute and ordinance aforeſaid now expired (as afore is ſaid) ſhall begin to hold his force at the feaſt of the Nativity of our Lady next enſuing, and ſhall endure from thence till the parliament next to be holden after the ſame feaſt, ſo that a parliament be holden within ten years next enſuing after the firſt beginning of this preſent parliament. And if ſo be that there be no parliament holden within the ſame ten years, that then it ſhall continue and endure till the end of the ſame ten years.

CAP. VII.

If any carry merchandiſes into Wales, *and after bring them into* England *not cuſtomed, he ſhall forfeit them.*

Merchandiſes.

ITEM, it is granted and ordained by the authority aforeſaid, That if any hereafter bring any merchandiſes coming from any parts beyond the ſea, to any port or place within the land of *Wales*, and after them ſend into *England*, and there diſcharge them out of any ſhip or veſſel the cuſtoms and ſubſidies thereof to the King not paid, or if any perſon in any of the ſaid ports and places in *Wales*, ſhip any wools, woolfels, or other merchandiſe of the ſtaple, to be brought to the parts beyond the ſea, not cuſtomed, nor the ſubſidy to the King not payed, ſhall forfeit the ſame goods and merchandiſes. And that the King ſhall have his ſuit in this behalf in the county next adjoining in *England* to the port, in the which ſuch merchandiſes ſhall be ſhipped or brought into *Wales*, and that this ordinance ſhall endure till the next parliament.

Cuſtom, wools, woolfels, &c.

CAP. VIII.

In what caſe the King's purveyors that would take cattle, may be reſiſted.

The King's purveyors who will take cattle to the value of xl. s. or under, and not make preſent payment, may be reſiſted.

ITEM, it is ordained by the authority aforeſaid, That the ſtatutes before this time made of purveyors and buyers, ſhall be holden and kept, and put in due execution. (2) And in caſe that any purveyor, buyer, or taker, will take and make purveyance, or buy any thing to the value of forty ſhillings or under of any perſon, and make not ready payment in hand, that then it ſhall be lawful to every of the King's liege people to retain their goods and chattels, and to reſiſt ſuch purveyors and buyers, and in no wiſe ſuffer them to make any ſuch purveyances, buyings, or takings. (3) And for the peace better to be kept, that every conſtable, tythingman, or chief pledge of every town or hamlet, where ſuch takings or purveyances ſhall be made, ſhall be aiding or aſſiſting to the owner or ſeller of ſuch things to be taken againſt the form of this ordinance, to make reſiſtance in the form aforeſaid, in caſe that ſuch conſtables, tythingmen, or chief pledges be required that to do, upon pain to yield to the party ſo grieved, the value of the things ſo taken, with

with his double damages. (4) And that none of the King's liege people be put to loſs or damage, by the King or any officer for ſuch reſiſtance. (5) And that none of the King's officers ſhall do to be arreſted, vexed, or impleaded in the court of the *Marſhalſea* or elſewhere, any of the King's liege people for ſuch withholding or not ſuffering to be done, upon pain to loſe twenty pounds, the one moiety of that to the King, and the other moiety to him, which will in ſuch caſe ſue. (6) And that the juſtices of peace in every county ſhall have power by authority of this ordinance, to inquire, hear and determine, as well at the ſuit of the King, as of him which will ſue, of any thing done againſt this ordinance, and thereof to make due puniſhment and execution, and to award damages to the party plaintiff, when any defendant is thereof duly convict. (7) And that in every action to be taken, upon this ordinance, every party defendant ſhall be put to anſwer to that without aid of the King. (8) And in ſuch actions to be taken, proceſs ſhall be made as in a writ of treſpaſs done againſt the peace, and that in every commiſſion of purveyors, buyers, or takers to be made, this ordinance ſhall be contained and expreſſed. (9) And moreover, that this ordinance among other ſtatutes of purveyors, buyers, or takers before this time made, ſhall be ſent to the theriffs of every county of *England*, to proclaim and deliver the ſaid ſtatutes and ordinances in the manner and form contained in the ſtatute of purveyors and buyers, made the firſt year of the reign of our ſaid ſovereign lord the King that now is, upon the pain contained in the ſame ſtatute. (10) And moreover the King will and commandeth, That the ſtatute made the ſix and thirtieth year of King *Edward*, late king of *England*, the third after the conqueſt, touching purveyors of other perſons than of the King, ſhould be put in due execution.

28 Ed. 3. c. 12.
36 Ed. 3. c. 6.
2 H. 4. c. 14.
1 H. 6. c. 2.
12 Car. 2. c. 24.

CAP. IX.

The order of trial of counteſſes, &c. being indicted of treaſon, &c.

Magna charta cap. 29.

ITEM, *Whereas it is contained in the Great Charter amongſt other things, in the form which followeth: No freeman ſhould be taken or impriſoned, or diſſeiſed of his freehold, or his liberties, or free cuſtoms, or ſhall be outlawed or baniſhed, or in any wiſe deſtroyed, nor we will go upon him, nor ſend upon him, but by the lawful judgment of his peers, or by the law of the land*; (2) *in which ſtatute is no mention made how women, ladies of great eſtate, in reſpect to their husbands, peers of the land, married or ſole, that is to ſay, ducheſſes, counteſſes, or baroneſſes,*

ITEM come continue ſoit en la Graunde Chartre entre autres en la fourme qenſuyt: ‘Nullus liber homo capiatur ‘aut impriſonetur aut diſſeiſi-‘atur de libero tenemento ſuo ‘aut libertatibus aut liberis ‘conſuetudinibus ſuis aut ut-‘lagetur aut exulet aut aliquo ‘modo deſtruatur nec ſuper ‘eum mittemus nec ſuper eum ‘ibimus niſi per legale judicium ‘parium ſuorum vel per legem ‘terre.’ En quele eſtatuit neſt my mention fait coment femmes dames de graunde eſtate par cauſe de lour barons peres de

de la terre covertez ou ſoulez ceſtaſſaver ducheſſes counteſſes ou baroneſſez ſerront mys a reſponder ou devaunt queux juges els ſerront juggez ſur enditementz de treſons ou felonies par eux faitz a cauſe de quell il eſt une ambiguite & doute en la ley devaunt queux & par queux tielx dames iſſint enditez ſerront myſez a reſpondre & eſtre adjuggez. Noſtre dit ſeignur le Roy voillant ouſtier tielx ambiguitees & doutes ad declare par lauctorite deſuiſdit qe tielx dames iſſint enditez ou en apres a enditerz de aſcun treſon ou felonie par eux faitz ou en apres affairez coment qe eles ſoient covertez de baron ou ſoules qe eles ent ſoient meſnez en reſponſe & mys a reſpondre & adjuggez devaunt tielx jugges & peres de le roialme ſicome autres peres de le roialme ſerroient ſils fuiſſent enditez ou empeſchez de tielx treſons ou felonies faitz ou en apree affairez & en autiel maner & fourme & en null autre.

baroneſſes, ſhall be put to anſwer, or before what judges that they ſhall be judged upon indictments of treaſons, or felonies by them committed or done, in regard whereof it is a doubt in the law of England, *before whom, and by whom ſuch ladies ſo indicted ſhall be put to anſwer, and be judged*; (3) our ſaid lord the King willing to put out ſuch ambiguities and doubts, hath declared by authority aforeſaid, That ladies ſo indicted, or hereafter to be indicted, of any treaſon or felony by them done, or hereafter to be done, whether they be married or ſole, that they thereof ſhall be brought to anſwer, and put to anſwer, and judged before ſuch judges and peers of the realm, as peers of the realm ſhould be, if they were indicted or impeached of ſuch treaſons or felonies done, or hereafter to be done, and in like manner and form, and none otherwiſe. 6 Co. 52.

The order of trial of ducheſſes, counteſſes, or baroneſſes, being indicted of treaſon or felony.

CAP. X.

Four wardens of the worſted weavers of Norwich *appointed yearly to inſpect and regulate the worſted in that city, and two in* Norfolk. *The length and breadth of all ſorts of worſteds made in* Norwich *and* Norfolk *aſſigned.*

ITEM, whereas as well in the city of *Norwich* as in the county of *Norfolk* there be divers perſons which make falſe cloths of all manner of worſteds not being of the aſſiſes in length and breadth as they ought to be and were of old time accuſtomed, and the ſlays and threads pertaining to the ſame be not rightfully made and wrought, in great deceit as well of denizens of the King as of the ſtrangers repairing into this realm of *England*, which buy and uſe ſuch merchandiſe, truſting that it ſhall be within as it ſheweth without, where, of truth it is contrary: And whereas worſted was ſometime a good merchandiſe and greatly deſired and loved in the parts beyond the ſea, now becauſe that it is of falſe work and of falſe ſtuff, no man thereof taketh regard which is great damage to the King's cuſtoms, to the great damage and prejudice of the King's faithful liege people: Our ſaid ſovereign lord the King, willing againſt ſuch damage

Ex edit. Raſt. Worſteds.

damage and prejudice to provide a remedy in this behalf, hath ordained by the authority aforeſaid, That men of the craft of worſted-weavers within the ſaid city, ſhall have power every
Norwich. year at the feaſt of pentecoſt to chooſe iiii. wardens within the ſaid city, of the ſame craft, and the ſame wardens to have power to chooſe other ii. men of the ſame craft in the ſaid county of the ſaid city, and all the ſame wardens to come before the mayor of the ſaid city for the time being, the Monday after the day of *Corpus Chriſti* then enſuing, and there to be ſworn before the mayor, to do right and make due ſearch of all manner of worſteds, and of the ſtuff belonging to the ſame, made or to be made within the ſaid city or county. And that every piece of worſted ſhall be purſuing through the cloth of right work good and convenable ſtuff, and that they ſhall hold the length and breadth as the aſſiſe hath of old time been rightfully accuſtomed, that is to ſay, the beds of the greateſt aſſiſe in length xiiii. yards largely, and in breadth four yards through the piece, and beds of the mean aſſiſe xii. yards in length and three yards in breadth through the piece, and beds of the leaſt aſſiſe x. yards in length largely, and two yards and a half in breadth, and cloths called monks cloths, xii. yards in length at the leaſt, and five quarters in breadth, and cloths called canon cloths, five yards in length and vii. quarters in breadth, and cloths called cloths, vi. yards in length and two yards in the breadth, and double worſted x. yards in length, and five quarters in breadth largely, and half doubles, vi. yards in length, and five quarters in breadth, and roll worſted, xxx. yards in length, and half a yard in breadth largely. And that no lambs wool, nor wool called pelt wool ſhall be put in any of theſe worſteds. And that the wardens of the ſaid craft for the time being, ſhall have power and authority to ſeiſe all ſuch cloths and ſtuff ſo found defective. And that the mayor of the ſaid city for the time being, ſhall have power by the ſaid authority to enquire, hear, and determine as well at the King's ſuit as at the information of the ſaid wardens, of all them which do
23 H. 6. c. 3. 7 Ed. 4. c. 2. contrary to this ordinance within the ſaid city. And in like form the juſtices of peace in the ſaid county out of the ſaid city, ſhall have power to enquire, hear, and determine, of all them which do againſt the premiſſes in the ſaid county out of the ſaid city. And if any man before the mayor or juſtice of the peace be thereof duly convict and attainted, that then the ſame worſteds and ſtuffs ſo found defective, ſhall be forfeit that is to ſay, the one half of ſuch forfeiture to the King, and the other half to the wardens for the time being of the ſaid craft. And that the mayor for the time being of the ſaid city, and the juſtices of peace for the ſaid county, ſhall have power to make ſuch proceſs ſeverally againſt ſuch perſon or perſons, which ſhall be found to be defective by enquiry before them to be taken, of any thing done againſt the premiſſes, as the King's juſtices of peace do upon indictments taken before them of treſpaſs done with force and arms againſt the King's peace.

And

And that this ordinance ſhall begin to take effect at the feaſt of Saint *Michael* next coming. And that it ſhall endure till the end of three years next enſuing after the ſame feaſt of Saint *Michael*.

CAP. XI.

A repeal of ſo much of the ſtatute of 2 HEN. V. ſtat. 1. cap. 6. *as maketh the breaking of truce and ſafe conducts high treaſon.*

ITEM, where it was ordained and declared by the ſtatute made the ſecond year of the reign of King *Henry* V. father to our ſovereign lord the King that now is, foraſmuch as before the ſaid ordinance divers people compriſed within the ſaid truces, made as well by the ſaid late King as by King *Henry* the Fourth, grandfather to our ſovereign lord that now is, and divers other having ſafe conducts as well of the ſaid late King *Henry* the V. as of the ſaid late King *Henry* the Fourth, ſome have been ſlain, ſome robbed and deſpoiled by the King's liege people and ſubjects, as well upon the main ſea as within the ports and coaſts of the ſea of *England*, of *Ireland* and of *Wales*, whereby the ſaid truces and ſafe conducts have been broken and offended, to the great diſhonour and ſlander of the King, and againſt his dignity, and the ſaid man-killers, robbers, ſpoilers, and offenders of the ſaid truces and the Kings ſafe conducts, as afore is declared, have been by divers of the King's liege people and ſubjects within the coaſts of divers counties received, abbetted, and procured, concealed, hired, ſuſtained, and maintained, that ſuch manſlaughters, robbery, ſpoiling, breaking of truces, and of the King's ſafe conducts, and wilful receipt, abettment, procurement, concealment, hire, ſuſtenance, and maintenance of ſuch perſons to be made in time to come by any of the King's liege people and ſubjects within the realm of *England*, of *Ireland*, and of *Wales*, or upon the main ſea, ſhall be judged and determined for high treaſon, done againſt the crown and the King's dignity. And foraſmuch as the pains contained and ſpecified in the ſtatute aforeſaid, be ſo rigorous againſt the King's liege people and ſubjects, and them ſo ſtraitly bind that the adverſaries and enemies of the King be greatly boldened and comforted to make war againſt them, and many of the King's liege people and ſubjects as well upon the ſea and coaſts of the ſea, as in the marches of the realm of *England*, oftentimes have been, ſome robbed and ſpoiled, and ſome ſlain, whereby many of the King's liege people inhabiting in the marches and coaſts aforeſaid, be greatly hindered and impoveriſhed, and in point to be finally deſtroyed, and the merchants and mariners of the King be greatly thereby diſcouraged and abaſhed to paſs upon the ſea with their ſhips and veſſels, with their merchandiſes, or otherwiſe to make war for the ſafeguard of the ſea, and the navy of the realm of our ſaid ſovereign lord the King in point to be deſtroyed, and the merchants of the King clearly diſcomforted to make or renew any ſhips

Truce.

Safe conducts.

or

or veſſels. At the parliament holden at *Weſtminſter*, the tenth day of *October*, the xiiii. year of the reign of our ſaid ſovereign lord the King that now is, the penalty, judgment, and determination in the ſame ſtatute contained was put in ſuſpence and reſpite by vij. years then next enſuing, as by the ſtatute thereof made in the ſame parliament plainly appeareth: The ſame our ſovereign lord the King that now is, conſidering the premiſſes, and that the ſaid time of ſeven years is well nigh paſt, ordaineth by authority aforeſaid that none of his liege people and ſubjects, by force of the ſaid ſtatute, for nothing by him attempted or hereafter to be done againſt the form and tenor of the ſaid ſtatute, as to the ſaid pain of treaſon, ſhall be in any wiſe puniſhed, moleſted, nor grieved, nor ſhall incur no pain for the ſame otherwiſe than he ought before the making of the ſaid ſtatute, but that he, his heirs, and executors of all pains and forfeitures of treaſon, becauſe of the ſaid ſtatute, againſt the King, his heirs, and ſucceſſors, ſhall be clearly quit and diſcharged. And that this ordinance ſhall endure till the next parliament.

CAP. XII.

A reformation of the partition money ariſing by the ſale of wools and woolfels by the mayor and conſtable of Calais, *ordered for ſeven years.*

Ex edit. Raſt. Partition of wools, woolfels, &c.

Staple. Calais.

ITEM, whereas by the ordinance of partition made upon wools and woolfels in the ſtaple of *Calais*, and by the long and ſtraight continuance of the ſame, great hinderance and decreaſe have come to the King of great notable ſums of his great cuſtoms and ſubſidies, as well in his realm of *England*, as at his town of *Calais*, as appeareth ſufficiently of record in his exchequer, for the which the commons of this realm have been oftentimes charged to their great damage, the King's ſoldiers of *Calais*, and of the marches there, the worſe paid of their wages, the ſaid town and caſtle of *Calais* not repaired, and that alſo the ſaid ſtraight rule hath cauſed many merchants ſtrangers to labour to their lords of their party to make as grievous and ſtraight ſearch upon bullion coming to the King's mint to *Calais*, ſo that men of divers countries in conveyance of bullion have been greatly hindered, as well in their perſons as in their goods, ſo that the ſaid mint is fallen in great decay, and may not be ſuſtained as it was in the time of the reign of King *Henry* the Fifth, father to our ſaid ſovereign lord the King that now is, and many year, before that the ſaid partition was firſt ordained and made. And that moreover that merchants of this realm be by that greatly hindered, and the moſt part of them of very neceſſity be enforced to leave their merchandiſes of wools and woolfels, becauſe that they may not attend the ſtraight rule of the ſaid partition. And whereby ſome do ſteal out of this realm wools and woolfels without payment of any cuſtom or ſubſidy, to our ſovereign lord the King for the ſame which hath been and is daily a great decreaſe and hinderance to the navy of this realm of *England*, and to the

the maſters of ſhips and mariners, becauſe that their living and yearly avail is greatly decreaſed and miniſhed by the little ſhipping of wools and woolfels of the ſaid ſtaple, for the cauſes aforeſaid, and that the price and value of the wools and woolfels by the ſaid ſtreight rules and ordinances of partition is very greatly decreaſed and miniſhed. And whereas upon the ſame it was prayed to the ſame our ſovereign lord the King that now is, by his ſaid commons by their petition to him made, that it would pleaſe him of his noble grace to conſider the premiſſes, and for the univerſal weal, avail, and increaſe of riches of this realm, to grant and ordain by the authority aforeſaid, That all wools and woolfels, which hereafter ſhall be ſhipped by merchants denizens of this realm of *England* to the ſtaple of *Calais*, ſhall be put to ſale by the owners of the ſame wools and woolfels, or by their attornies there under due form and rule of the ſaid ſtaple, to the price and value of the ſaid wools and woolfels, as it is by the ordinance of the ſaid ſtaple at this time put and uſed, or at ſuch price as by the rule of the ſaid ſtaple ſhall be ordained and appointed, as often and when it ſhall pleaſe the ſame merchants or their attornies. So that the third part of the price and value for all ſuch wools and woolfels, to be ſold hereafter to the ſaid ſtaple, at the time of the ſale and before the delivery of them, ſhall be brought from the ſaid ſtaple and had in bullion of ſilver to the King's mint at *Calais*, there to be coined by the ſurveying of the mayor, conſtables, and company of the ſaid ſtaple for the time being, to be delivered after that it is ſo coined to the ſaid merchants owners of the ſaid wools and woolfels ſo ſold, and by them or their attornies to be brought and had in the ſaid realm of *England* by the ordinance and ſurveying of the ſaid mayor and conſtables and company of the ſaid ſtaple for the time being, without embezzeling or ſubtraction of that in any wiſe, and without any partition of the money which ſhall come of the ſaid bullion, or of any payment of theſe other parties of the value of the ſaid wools and woolfels to be had or made. And that this ordinance ſhall endure till the end of ſeven years next enſuing: The ſame our ſovereign lord conſidering the premiſſes hath granted and ordained, by the authority aforeſaid, That as to the partition aforeſaid, the mayor and conſtables and company of the ſaid ſtaple of *Calais* ſhall reform the ſame among themſelves according to the ſaid petition, before the firſt day of *Auguſt* next coming. And that it ſhall be ſo obſerved hereafter during the ſaid vii. years. And if that they do not then the ſame, our ſovereign lord the King hath granted and ordained by the authority aforeſaid, That as to the petition and to the remanent in the ſame petition contained, it ſhall be done as is deſired.

Statutes made at *Weſtminſter*, *Anno* 23 HEN. VI. and *Anno Dom.* 1444.

AT *the parliament holden at* Weſtminſter *the twenty fifth day of* February, *the twenty third year of the reign of King* Henry *the Sixth after the conqueſt, the ſame our lord the King, by the advice and aſſent of the lords ſpiritual and temporal, and the commons being in the ſaid parliament, by the authority of the ſame parliament, made to be ordained, and ſtabliſhed divers ordinances and ſtatutes in the manner and form following.*

EN parlement tenuz a Weſtm' le xxv jour de Feverer lan du reigne noſtre ſeignur le Roi *Henry* le vi. apres le conqueſt xxiii. meſme noſtre ſeignur le Roi del advys et aſſent de les ſeignurs eſpirituelx et temporelx et les communes eſteantz en le dit parlement et par auctorite de meſme le parlement, fiſt ordeigner & eſtablier diverſez ordeignauncez et eſtatuitz en le maner et fourme que enſuiſt.

CAP. I.

A confirmation of the ſtatute of 36 EDW. III. c. 2. *and other ſtatutes touching the King's purveyors.*

The name of Purveyors turned into Buyers.

Ex edit. Pulton. 36 Ed. 3. c. 2.

No purveyance but for the King.

Ready payment ſhall be made.

The name of purveyors changed, and they named buyers.

By whom goods purveyed ſhall be praiſed.

Priſes ſhall be made where there is plenty.

No more ſhall be taken than is needful for the time.

A taker ſhall have no deputy.

The ſeal of the commiſſion.

Reſiſtance of the purveyors if they make not ready pay-

FIRST, Whereas in the parliament holden the xxxvj. year of King *Edward* the Third, for the grievous complaints made againſt purveyors of victuals, it was ordained and eſtabliſhed, That no man of the realm ſhould have any takings but only the King and the Queen his companion: (2) and that upon ſuch purveyance to be made for the houſes of the King and the Queen, ready payment ſhould be made in hand, that is to ſay, the price for which ſuch victuals ſhould be commonly in markets near about; (3) and that the heinous name of purveyors ſhould be changed, and named buyers: (4) And if the buyers cannot well agree with the ſeller, for that which ſhall be needful, then the priſes that ſhall be made for the ſaid two houſes, ſhall be made by the view, witneſſing, and appraiſment of the lords, or their bailiffs and conſtables, and four good men of every town, and that by indenture to be made betwixt the buyers and the ſaid lords or bailiffs, conſtables, or four men, containing the quantity of the thing by them taken, and the price, and of what perſons: (5) and that the priſes ſhall be made in a convenient and eaſy manner, without dureſs, menace, rebuke, or otherwiſe: (6) and that the priſes and buyings ſhall be made in places where there is greateſt plenty, and that in convenient time: (7) and that there be no more taken than ſhall need for the ſeaſon for the ſaid two houſes: (8) and that the number of the ſaid buyers ſhall be abated, in as much as a man may well: (9) and that ſuch be buyers which ſhall be ſufficient to anſwer to the King and to his people, and that none of them ſhall have a deputy: (10) and that the

the commiſſions ſhall be ſealed with the great ſeal, and every half year returned into the chancery, and other to be made of new: (11) and that in the ſaid commiſſions ſhall be compriſed all the manner and matter of their priſes and buyings, (12) and that no man ſhall be bound to obey the buyers of other lords againſt their will, nor to the buyers of the ſaid houſes, if they make not ready payment in hand, as afore is ſaid: (13) and that no man ſhall be charged for a contempt becauſe of diſobedience done in this behalf: (14) and that the priſes of all manner of corn and malt for the ſaid two houſes, ſhall be meaſured by the meaſure according to the ſtandard ſtricken and not heaped: (15) and for the carriage of the corn and malt, and for all other manner of priſes and buyings to be made for theſe two houſes, ready payment ſhall be made in hand in the ſame manner as for the priſes and buyings aforeſaid: (16) and that no more carriage be taken than ſhall be needful in this behalf: (17) and if any buyer make any priſes and buyings, or be taker of carriage in any other manner than is compriſed in their commiſſions, they ſhall have puniſhment of life and of member, as is ordained of purveyors.

ment, or take for others ſaving the King, &c.

The corn taken ſhall be meaſured by the ſtrikel. 4 Ed. 3. c. 3. 25 Ed. 3. ſt. 5. c. 1. 11 R. 2. c. 4. 20 H. 6. c. 8.

Ready payment for carriage.

Felony to take otherwiſe.

CAP. II.

In what caſe the King's purveyors, who are by the laſt precedent chapter to be termed buyers, may be reſiſted.

ITEM, That no buyer of victual, or taker of carriage, ſhall take or receive of any man any gift or other pleaſure, to ſhew any favour, or ſhall charge or grieve any man in reſpect of ſuch takings, buyings and carriages, for hatred, envy, evil will, or procurement: (2) and if he do, and thereof be attainted at the ſuit of the party, he ſhall yield to the party his double damages, and ſhall have impriſonment of two years, and ſhall be ranſomed at the King's will, and after ſhall forſwear the court: (3) and if the party will not ſue, he that will ſue for the King, ſhall have the third peny of that which ſhall be recovered for his labour, and nevertheleſs the buyer and taker ſhall have the puniſhment as afore is ſaid in the ſame article: (4) and that every buyer upon his account ſhall cauſe to be declared, and ſeverally diſtinguiſhed the takings and buyings of every county, town or perſon: (5) our ſaid lord the King that now is, conſidering the premiſſes, hath ordained and commanded by authority of this ſaid parliament, That the ſaid ſtatutes from henceforth ſhall be duly kept and put in execution, (6) and alſo hath ordained by the ſame authority, That every purveyor and buyer before they ſhall have any commiſſion, ſhall be ſworn in the chancery, that he ſhall take nothing of the people contrary to the ſaid ordinances.

No purveyor ſhall take or forbear for favour or malice.

A taker ſhall make a particular account of each thing taken.

A rehearſal and confirmation of the ſtatute of 36 Ed. 3. c. 2.

The takers oath.

II. And moreover, becauſe the poor people be not able, nor dare make reſiſtance againſt the purveyors and buyers, nor ſue them by the law, though that they do contrary to the ſaid ſtatutes, it is ordained by the ſame authority, That the praiſers,

Reſiſtance of the takers.

and alſo all the town or towns adjoining, if need be, ſhall be bound to do their endeavour and power to reſiſt the buyers and purveyors doing contrary to the ſaid ſtatutes, and as much as in them is, to execute the ſaid ſtatutes upon the ſame purveyors, if they be required; (2) and that he which is grieved for his goods taken contrary to the ſaid ſtatutes and ordinances, may chooſe to have an action of debt againſt the ſaid praiſers, town or towns, and every of them, which do not their induſtry in reſiſtance of the ſaid purveyors or buyers in the form aforeſaid, when they ſhall be required, or elſe againſt the ſaid purveyors or buyers, and every of them, to recover the treble value of his goods ſo taken, and moreover his coſts and his treble damages.

Two ſeveral remedies for the party wronged by the takers.

(3) And if any purveyor or other the King's officer do trouble or vex any of the King's liege people in the marſhalſea or elſewhere, by any evil ſuggeſtion or cauſe feigned, imagined, or coloured upon them in reſpect of execution of the ſaid ordinances, he ſhall incur the pain of xx l. to be paid to the party grieved, over his damages and coſts in this behalf ſuſtained: (4) and that he thereupon ſhall have a writ of debt; (5) and that every iſſue triable in their action, ſhall be tried in the county where the taking of the ſaid goods was made, and that the defendants in all the ſaid caſes ſhall not be admitted to wage their law, and ſhall be put to anſwer without fourching, and no eſſoin, aid of the King, nor protection ſhall be to them allowed: (6) and that the ſerjeant of the catery ſhall ſatisfy all the damages, debts and executions which ſhould be recovered againſt every purveyor and buyer under him in all the caſes aforeſaid, if the purveyor or buyer be not ſufficient to ſatisfy: (7) and the party complainant ſhall have a *Scire facias* to have execution againſt the ſaid ſerjeants in that caſe: (8) and that theſe ſtatutes and ordinances ſhall be ſent to the juſtices of the peace in every county to proclaim them every year, and thereof to inform the people.

The ſerjeant of the catery ſhall anſwer for ſome takers his inferior officers.

CAP. III.

Whoever ſhall pack or ſhip thrums or threads to paſs beyond the ſeas, during three years next coming, ſhall forfeit the ſame, or the value.

Ex Edit. Raſt. ITEM, our ſaid ſovereign lord the King hath ordained by the authority aforeſaid: That no man hereafter ſhall pack nor ſhip any thrums nor woolen threads in any wiſe, to be had or to paſs out of this realm of *England* beyond the ſea, during the term of three years next enſuing, upon pain of forfeiture of the ſame thrums and woolen thread, or the very value of the ſame to the King: the King to have the one half thereof, and he which ſhall the ſame eſpy, find, and prove the ſame to be forfeit, to have the other half. And that he that packeth to ſhip beyond the ſea, any ſuch thrums or woolen thread hereafter, contrary to this ordinance, ſhall have one year's impriſonment, and moreover ſhall make fine and ranſom for his offence in this behalf, ſaving always to the King his advantage by the ſtatute made in the parliament holden at *Weſtminſter* the viii. year of his noble reign touching this matter.

8 H. 6. c. 23.

CAP.

CAP. IV.

Four wardens of worſted weavers ſhall be choſen yearly during three years next coming, within the city of Norwich, *and other four within the county of* Norfolk, *which ſhall ſet down orders for the true making of worſteds within* Norwich *and* Norfolk, *and* Suffolk.

ITEM, whereas in the laſt parliament of the King holden at *Weſtminſter*, among other things it was enacted and granted by authority of the ſame parliament, That where there were divers perſons as well within the city of *Norwich* as in the county of *Norfolk*, which made falſe work of all manner of worſteds, not being of the aſſiſe in length and breadth as they ought to be, and were of old time accuſtomed, and the ſlaies and thread to that pertaining were falſly made and wrought, to the great deceit as well of denizens as of ſtrangers repairing to this realm, which uſe to buy ſuch merchandiſes, truſting that they be within as it appeareth outwardly, where of truth it was contrary: and where worſteds were ſometime good merchandiſes and greatly deſired and loved in the parts beyond the ſea, becauſe it was of falſe work and of falſe ſtuff, no man doth ſet by the ſame, to the great damage of the King's cuſtom, and great damage and prejudice to his faithful people, it was alſo ordained to the deſtruction of ſuch defaults, That the men of the ſaid craft within the ſaid city ſhould have power every year at the feaſt of *Penteco/t*, to chooſe four wardens within the ſaid city of the ſame craft. And the ſame wardens to have power to chooſe other two men in the county out of the ſaid city, and all the ſaid wardens to come before the mayor of the ſaid city for the time being, the Monday after the day of *Corpus Criſti* then next enſuing, and there to be ſworn before the mayor, to make true and due ſearch of all manner of worſteds, and of the ſtuff pertaining to the ſame, made or to be made within the ſaid city or county, and that every piece of worſted ſhall be purſuing through all the cloth of right work good and convenable ſtuff, and that they ſhall hold the length and breadth as the aſſiſe hath been of old time accuſtomed, that is to ſay, beds of the greateſt aſſiſe in length xiiii. yards largely, and in breadth iiii. yards largely through the piece, and beds of the mean aſſiſe xii yards in length, and in breadth through the piece iii yards, and and beds of the leaſt aſſiſe x yards in length largely, and two yards and a half in breadth. And cloths called the monks cloths xii yards in length at the leaſt and v quarters in breadth. And cloths called canon cloths of the one aſſiſe v yards in length and vii. quarters in breadth. And of the other aſſiſe vi yards in length and ii yards in breadth. And double worſted x yards in length, and v quarters in breadth. And half double vi. yards in length and v. quarters in breadth, and roll worſted xxx. yards in length and half a yard in breadth largely. And

Peltwool. that no lambs wool nor wool called Peltwool shall be put in any of the same worsteds. And that the wardens of the said craft for the time being shall have power and authority to seise all such cloths and stuff so found defective, and that the mayor of the said city for the time being have power to enquire, hear, and determine as well at the King's suit as at the information of the said wardens, of all them that do contrary to the said ordinance within the said city. In like form the justices of the peace in the said county out of the said city, shall have power to enquire, hear, and determine of all them that do contrary to the premisses in the said county out of the said city. And if any man before the said mayor or justice of the peace shall be duly convict and attainted, that then the same worsteds and stuff, so found defective shall be forfeit, that is to say, the one half of such forfeiture to the King, and the other half to the wardens of the said craft for the time being. And that the mayor for the time being of the said city, and the justices of the peace in the said county, shall have power to make such process severally against such person or persons, which shall be found defective by enquiry before them to be taken of any thing done contrary to the premisses, as the justices of peace do upon indictments taken before them of trespas done with force and arms against the King's peace. And that the said ordinance shall begin to take effect at the feast of St. *Michael* next ensuing the said parliament, to endure till the end of three years: The King considering the premisses, hath ordained by authority of his said parliament, holden the xxv. day of *February*, for the weal of all his people of his said realm, and in amendment of the said worsteds, for and in destruction of all manner of deceit to be done and wrought in worsteds by them that have them by the means of the same, that the men of the said craft within the said city shall have power every year at the feast of *Pentecost* to choose four wardens within the said city of the same craft. And also in like manner that the artificers of the same craft, dwelling out of the said city, that is to say, in the county of *Norfolk*, shall have power every year at the feast of *Pentecost* to choose four wardens within the said county of the same craft. And that the wardens in the said county and city shall be sworn before the mayor of the said city, and the steward of the dutchy of *Lancaster* within the said county for the time being, if he be present within the said city, or else before the mayor alone, the said steward being absent at such time. And that all the said wardens, as well within the said city as without, or else the most part of them, under the same form before rehearsed, chosen and sworn, shall have full power to survey the work of the said artificers. And that they shall make and work well and lawfully. And do to be ordained such rules and ordinances within the said craft, as shall seem to them necessary for the amendment of the said worsteds and the craft. And that such rules and ordinances by them so made and ordained to be by the said artificers obeyed and observed, or else such of the said arti-

artificers that break or do contrary to the ſaid rules and ordinances, to be puniſhed by the diſcretion of the ſaid mayor and ſteward. And alſo that no man of the ſaid craft ſhall make any worſted, except he put upon the ſame his ſign by the ordinance of the ſaid wardens, or otherwiſe the ſaid worſteds ſhall be forfeit to the King, and that the ſaid wardens, as well within the ſaid city, as within the counties of *Norfolk* and *Suffolk*, ſhall have full power to ſearch or do to be ſearched all manner of worſteds, as well within the looms as without the looms. And that all manner of worſted and ſtuff pertaining to the ſame found by them for any cauſe recited defective by the ſaid wardens to be forfeit, that is to ſay, the one half to the mayor and bailiffs of the city, boroughs, or towns, or to the chief lords of the fee of and in ſuch places where ſuch worſteds and ſtuff by the ſaid wardens ſhall happen to be found defective and forfeitable for any cauſe aforeſaid, and the other half to the wardens of the ſaid craft, and that all manner mayors, ſheriffs, and bailiffs, and all other officers ſhall be attending, aiding, and ſupporting the ſaid wardens in their ſearches, as often as they or any of them ſhall be by the ſaid wardens or any of them required. And that this ordinance ſhall endure till the end of three years next enſuing. Provided always, That if the wardens of the ſaid craft, as well within the ſaid city of *Norwich* as without, or otherwiſe the greater part of them in manner and form aforeſaid, happen to be choſen and ſworn to make any ſuch rules and ordinances as afore is ſaid, that the ſame rules and ordinances ſhall be in no wiſe put in execution before that the King and his counſel be certified of them, and that the ſame rules and ordinances ſhall ſeem to the King and his counſel expedient and neceſſary for the weal of the King and of his realm.

CAP. V.

Welchmen *indicted of treaſon or felony, that do repair into* Herefordſhire, *ſhall be apprehended and impriſoned, or or elſe purſued by hue and cry, and a forfeiture of thoſe which do not purſue them.*

ITEM, whereas divers perſons dwelling in *Wales* and in the marches of *Wales*, indicted and outlawed of treaſons and felonies coming into the county of *Hereford* to cities and burghs towns, fairs and markets, and to other places within the ſaid county, ſometime by night, and there ſell, buy merchandiſe and tarry by ii. iii. iv. days or more at their will, and after return into their own countries without grievance, impeachment, or execution of the law made upon them by the ſheriff of the ſaid county, his miniſters, or by any other perſon, by reaſon that the ſheriff and his miniſters oftentimes have no knowledge of their perſons, nor of their being within the ſaid county, and other perſons, ſome for favour and amity, and ſome for doubt of hurt, by reaſon of which none doing of due execution of the law, the ſaid perſons indicted, outlawed, and other offenders of *Wales*, Wales. 27 H. 8. c. 26.

Wales, and of the marches aforeſaid, doubt not to come, ſlay, burn, rob, and to do other offences in the ſaid county, to the perpetual deſtruction and impoveriſhment of the commons of the ſaid county: our ſaid ſovereign lord the King, conſidering the premiſſes, hath granted by authority aforeſaid, That if the ſheriff, underſheriff, or any ſheriff's miniſters, mayor and bailiffs of towns and boroughs, or any other perſon converſant within the ſaid county, know and ſee any ſuch perſon indicted or outlawed in any place within the ſaid county, that he ſhall arreſt, take, and bring him to the gaol within the ſaid county, and there ſhall deliver him to the gaoler after the law of the realm. And if any ſuch perſon indicted or outlawed will diſobey the arreſt to be made in the form aforeſaid, that he againſt whom ſuch diſobeiſance is made, ſhall levy hue and cry. And that every perſon that is converſant within the ſaid county that heareth the hue and cry, ſhall come and aid him that levieth the ſaid hue and cry, to take the ſaid offender, and ſhall do their power that to do. And if they cannot take him, they ſhall follow and purſue him out of the ſaid county with hue and cry. And that the ſheriff, under-ſheriff, and their miniſters, mayor and bailiffs converſant and hearing of ſuch hue and cries, ſhall make due execution of the ſaid ordinance according to their power, upon the pain, that is to ſay, the ſaid ſheriff, under-ſheriff, and their miniſters, mayors and bailiffs, to make fine and ranſom to the King, and the ſaid perſons converſant and hearers, that is to ſay, a knight a C. s. an eſquire forty ſhillings, and all other inhabitants twenty ſhillings. And that the juſtices of peace in the ſaid county for the time being, ſhall have power to enquire, hear and determine upon the defaults and negligencies of the ſaid ſheriff, under-ſheriff and miniſters, mayor and bailiffs, converſant and hearers of the ſaid hues and cries. And moreover the King will, That the ſtatute of *Weſtminſter primer*, touching like matter, ſhall be put in due execution.

CAP. VI.

A rehearſal of the ſtatute of 15 HEN. 6. c. 2. *touching licence to tranſport corn, when wheat doth not exceed* vi *s.* viii *d. the quarter, and barley* iii *s.* iv. *d. and the ſame ſtatute made perpetual.*

ITEM, whereas at the parliament holden at *Weſtminſter* the xv. year of the reign of the King that now is, for the common profit of all the realm, it was ordained in the form as followeth. *Item*, whereas by the law it was ordained, That no man may carry or bring corn out of the realm of *England*, without the King's licence, by reaſon whereof farmers and other men which uſe the manuring of land, may not ſell their corn but at a low price, to the great damage of all the realm: our ſovereign lord the King, willing in this caſe to provide a remedy, hath ordained by authority aforeſaid, That it ſhall be lawful to every man to ſhip and carry all manner of corn and grain out of this realm,

Corn.

realm, to any place that pleaſeth him, except only to the enemies of our ſovereign lord the King, as often and as long as a quarter of wheat doth not exceed the price of vi s. and viii d. and a quarter of barley iii s. in the ſame port where the wheat or barley is ſo ſhipped, and that without ſueing any licence for the ſame, and all other ordinances before this time made to the contrary notwithſtanding. Provided always, That the King be contented of his cuſtoms and money. And this ordinance ſhall endure till the next parliament. And foraſmuch as this ſtatute is not now in force, and that many counties adjoining to the ſea may not ſell the ſubſtance of their corn, but by carriage to be carried by the ſea: our ſaid ſovereign lord the King (conſidering the premiſſes) hath ordain d by authority of his ſaid parliament, holden the ſaid five and twentieth day of *February*, that the ſtatute and ordinance aforeſaid by authority of the ſame parliament ſhall be perpetual, and ſtand in his force for ever. Grain. Altered by 1 Jac. 1. c. 25. 21 Jac. 1. c. 28.

CAP. VII.

The gathering of head-pence by the ſheriff of Northumberland *ſhall ceaſe.*

ITEM come lez poverez communes & foialx liegez du Roy de ſon counte de Northumbr' ount eſte de longe temps oppreſſez & ſurchargez per lez viſcountz du dit countee pur le temps eſteantz, levauntz & facentz leve de lour biens & chateux a la ſomme de lx li'. & pluis, appellez Hedepeniez, deux foitz en vij ans, ſcilicet cheſcune tierce an & cheſcune iiij^e an, a lour propre availle, ſaunz aſcune accompt, profit, ou availle a Roi & ſaunz aſcun loial avyce ou foundement, ſinoun de lour graund extorſion, le quele cauſa diverſez hommez de laborer & expender graundez biens deſtre viſcount, quant lez ditz ans veignent, a le pluis greindre oppreſſion de lez ditz communes: Noſtre dit ſeignur le Roy, conſiderant lez premiſſez, ad ordeigne & graunte per lauctorite ſuiſdit, que le dit collect de lez ditz hede penyez ſoit tout ouſtrement ouſtez pur toutz jours, aſcun uſe ou cuſtume eue a le contrarie nient obſtaunt

ITEM, *whereas the poor commons, and the King's faithful liege people of his county of* Northumberland, *have been of long time oppreſſed and ſurcharged by the ſheriffs of the ſaid county for the time being, levying or cauſing to be levied of their goods and chattels, to the ſum of forty pounds, and more, called* Head-pence, *two times in ſeven years, that is to ſay, every third year, and every fourth year, to their own avail, without any account, profit, or advantage to the King, and without any lawful cauſe or ground, but of their great extortion, which cauſeth divers men to labour and expend great goods to be ſheriff, when the ſaid years come, to the great oppreſſion of the ſaid commons*; (2) our lord the King conſidering the premiſſes, hath ordained and granted by the authority aforeſaid, That the ſaid gathering of the ſaid head-pence ſhall be clearly put out for ever, any uſe or cuſtom to the contrary notwithſtanding, upon pain of an C li. to be paid, the one half of the ſame to

The gathering of head-pence by the ſheriff of Northumberland ſhall ceaſe.

to the King, and the other half to the party which will ſue for the forfeiture againſt the ſheriff. This ordinance to begin at the feaſt of the nativity of St. *John Baptiſt*, which ſhall be in the year of our Lord M.CCCC,xlvi.

obſtaunt, ſur payne de C li' deſtre paiez, lune moite dicelle a Roi, & lautre moite dicelle a la partie qui ſua la forfaiture envers le viſcount. Ceſt ordeignaunce a commencer a la feſt de la nativite de Seint John le Baptiſte que ſerra en lan noſtre ſeignur M.CCCC.xlvj^e.

CAP. VIII.

No man ſhall be ſheriff, under-ſheriff, &c. above a year.

14 Ed. 3. ſtat. 1 c. 7.
1 Lutw. 193.

ITEM, *whereas King* Edward *the Third, for divers ana ſpecial cauſes, in his parliament holden at* Weſtminſter *the* Wedneſday *next after* Midlent, *the fourteenth year of his reign, or that ſeveral ſheriffs in divers counties in* England *then being, had their offices, ſome for a term of years of the King's grant, and ome truſting of longer continuance in their offices, by procurement, &c. were greatly encouraged, and did take upon them to do many and divers oppreſſions to the King's liege people, unduly, and evil, and falſly to ſerve the King and his people did ordain and ſtabliſh, That no ſheriff ſhould tarry and abide in his office above a year, and that then another meet and ſufficient man ſhould be aſſigned in his place by the chancellor and treaſurer of* England, *and the chief baron of the exchequer, and other every year in the morrow of* All-Souls, *as it appeareth in the ſaid ſtatute*; (2) *and after the ſaid ſtatute ſo made, by another ſtatute made at* Weſtminſter, *in the parliament of the ſaid King, holden the firſt day of* May, *the forty ſecond year of his reign, he ordained and made, That no ſheriff, or under-ſheriff, nor ſheriff's clerk, ſhould tarry and abide in his office over one year, as it is ordained by other ſtatutes before this time, as it appeareth more plainly by the ſaid ſtatute*

42 Ed. 3. c. 9.

ITEM come le Roi E. le tierce, pur diverſez & notablez cauſez en ſon parlement tenuz a Weſtm' le meſkerdy proſchein apres le di.' quareſme lan de ſon reigne xiij^e pur cauſe que diverſez viſcountz en diverſez counteez dEngleterre adonques eſteauntz avoient lour officez, aſcuns pur terme dans de graunte du Roi, & aſcuns confiantz en pluis longe continuance en lour officez, per procurement &c. furent graundement eſbaudez, & priſteront ſur eux, de faire pluſours & diverſez oppreſſions a le liege poeple du Roy meyns duement & malement & fauxement ſervoient le Roi & ſon poeple; ordeigna & fiſt, que nulle viſcount demureroit ne expecteroit en ſon office ouſtre un an & que adonqes un autre covenable & ſufficient homme ſerroit ordeine en ſon lieu per le chaunceller & treſorer dEngleterre & le chief baron del eſchequer & autres cheſcune an en lendemayn dez toutz almez; ſicome il appiert en le dit eſtatut: & apres cell eſtatut iſſint fait, per un autre eſtatut fait a Weſtm' en le parlement du dit Roi tenuz le prim' jour May lan de ſon reigne xlij ordeigna & fiſt, que null viſcount ſouthviſcount, ne clerk de viſcount, demureroit ou ex-

expecteroit en son office oustre un an an ; sicome est ordeigne per autres estatutz faitz devaunt celle temps ; sicome il pluis pleinement appiert per le dit estatut del xlij an. Et oustr' ceo per un autre estatut fait a Westm' en le xv de seint Michell lan du reigne du Roy *Richard* le Seconde primer fuist ordeigne et fait, que nulle homme que avoit estee viscount dascun countee pur un entier an ne serroit eslieu autrefoitz, ne mys en la dit office, deinz trois ans adonques proscheinz ensuantz ; sinoun que ne soit ascun autre suffisant deinz le dit countee ; sicome il pluis pleinement appiert per le dit estatut du Roi *Richard* : & come en diversez counteez dEngleterre apres la fesaunce dez ditz estatutz plusours diversez viscountes ount estez faitz, & ount occupiez deinz lez ditz counteez, ascuns x. ans, & ascuns xij. ans, & pluis, a le graund damage du Roi qoreſt, sez progenitours, & lour poeple deinz lez ditz counteez, contrarie a lez ditz estatutz, & tout autre bon rule, & veraie semblablement en temps avenir destre importable damage, overt disheritaunce, & supportation domicidie & perjurre, & graund oppression as plusours du liege poeple du Roi considerez lez graundez consanguinite alliaunce les famulers des viscountes, sibien de ceux qe ount estee devaunt cest temps, come de ceux que ore sount en les ditz countees : nostre dit seignur le Roi, considerant les premisses, ad ordeigne per lauctorite suisdit, que les estatutz devaunt recitez & chescun de eux soient duement observez en chescune countee dEngleterre, les

statute of the same forty-second year. (3) *And moreover, by another statute made at* Westminster, *the fifteenth of St.* Michael, *the first year of the reign of King* Richard *the Second, it was ordained and made, That no man which hath been sheriff of any county by one whole year, shall be another time chosen nor put in the said office within three years next ensuing, except that there be not other sufficient within the said county, as it appeareth more plainly by the said statute of King* Richard. (4) *And whereas in divers counties in* England, *after the making of the said statutes, many and several sheriffs have been made, and have occupied within the said counties, some ten years, and some twelve years, and more, to the great damage of the King that now is, his progenitors, and their people within the said counties, contrary to the said statutes, and all other good rule, and very like in time to come to be to their importable damage, and open disherison, upholding of manslaughter, perjury, and great oppression to many of the King's liege people, considering the great consanguinity, alliance, and familiars of the sheriff, as well of them as have been before this time, as of them which now be in the said counties* ; (5) our said lord the King, considering the premisses, hath ordained, by the authority aforesaid, That the statutes before recited, and every of them shall be duly observed in every county of *England*. (The undersheriffs, and all other officers within the city of *London*, which now be, or shall be, at all times excepted ; and such counties only except, in which divers of the King's liege people be inheritable to the office

1 R. 2. c. 11.

A confirmation of the statutes aforesaid, that no man shall be sheriff above one year, &c. 28 Ed. 3. c. 7

of

of ſheriffs at this day, and alſo ſuch perſons as have eſtate of freehold in the office of ſheriffs at this day, and except the letters patents made to them of the office of ſheriffs, and their under-ſheriffs and clerks.) (6) And if any ſheriff, or under-ſheriff, or ſheriff's clerk, occupy the office of ſheriff, under-ſheriff, or ſheriff's clerk, contrary to any of the ſtatutes afore recited, or againſt the effect or intent of any of them (except before excepted) that then he which doth ſo occupy, ſhall forfeit the ſum of CC li. yearly, as long as he occupieth contrary to the effect of the ſaid ſtatutes; (7) and that every pardon hereafter to be made for ſuch offence or occupation, or forfeiture of ſums before recited, ſhall be void, and not available, and all patents made, or to be made, of any the ſaid offices for term of years, for term of life, or in fee-ſimple, or in fee-tail, to any of the King's liege people (except before excepted) ſhall be void and of no value, by the ſame authority, any clauſe or word of *Non obſtante* in any wiſe put or to be put in ſuch patents to be made notwithſtanding. (8) And moreover, whoſoever will take upon him or them, to have or occupy the ſaid office of ſheriff, by virtue of ſuch grants or patents now to be made for term of years, for term of life, fee-ſimple, or fee-tail, ſhall ſtand for ever and at all times diſabled to be or bear the office of ſheriff within any county in *England* by the ſame authority. (9) And that every liege man which will ſue for the ſaid ſum forfeit, againſt him or them which in ſuch manner doth

The penalty for occupying the ſheriff-wick above one year. Altered by 22 Ed.4 c.1.

All patents made to any to be ſheriff a-above a year, ſhall be void.

les ſouthviſcounts & touts les outres officers deinz la citee de Loundres que ore ſount ou ſerrount tout temps excepts, & autielx countees tantſoulement exceptz, en queux divers de le liege poeple du Roi en loffice de viſcount a ceſt jour ſount enheritez, & auxint tielx perſones que ount eſtate de frank tenement en loffice de viſcount meſme ceſt jour & lettres patents a eux faitz del office de viſcount & lour ſouth-viſcounts & clerks exceptz. Et ſi aſcun viſcount ou clerk de viſcount occupia office de viſcount, ſouthviſcount, ou clerk de viſcount, contrarie a aſcuns de les eſtatutz avaunt recitez, ou encountre leffect ou entent daſcun de eux exceptz devaunt exceptz; que adonques ceſtuy que iſſint occupia, forfaira la ſomme de CC li. annuelement, auxi longement come il occupia contrarie al effect dez ditz eſtatutz. Et que cheſcune pardon en temps avenir deſtre fait pur tiel offenſe, occupation, ou forfaiture dez ſommez avaunt receitez, ſerroit voidez & nient availablez; & toutz patentz, fait & affairs, de aſcun de les ditz offices pur terme dans terme de vie, en fee ſimple, ou fee taille, a aſcun de lez liegez du Roi, exceptz devant exceptz, ſoient voidez & de null value per meſme lauctorite, aſcun clauſe ou parole de non obſtante en aſcun mys ou a mettre en tielx patentz deſtre fait nient obſtauntz. Et ouſtre ceo quiconque preſume ſur luy ou ſur eux, daccepter ou occupier la dit office de viſcount per vertue dautielx grauntez ou patentz ore affairez pur terme dans, a terme de vie, fee ſimple, ou fee taille, deſtoier

ſtoier diſable perpetuelment & tout temps, deſtre ou porter loffice de viſcounnt deinz aſcun countee en Engleterre per meſme lauctorite ; & que cheſcune liege homme que voet ſuer pur la dit ſomme forfait envers celluy ou ceux que en tiel manere forface ou forfacent ſerra reſceu & admys de ſuer action de dette en ſon propre noun, le Roy davoir lune moite de tout ceo que aveignera per icelle action deſtre recoverez per tiel ſuite, & celluy ou ceux qui iſſint purſuera ou purſueront daver lautre moite.

doth forfeit or ſhall forfeit, ſhall be received aud admitted to ſue an action of debt in his own name, our lord the King to have the one half of all that ſhall happen by the ſame action to be recovered by ſuch ſuit, and he or they that ſo purſue to have the other half.

Who ſhall take the benefit of the forfeiture.

29 H.6.c.2. 6 H.8.c.13.

CAP. IX.

The Chancellor of England *may grant commiſſions of ſewers during fifteen years.*

ITEM, whereas in the parliament holden at *Weſtminſter* at the xv of St. *Michael*, the ſixth year of the reign of the King that now is, for the great damages and loſſes that happen by the great riſing of water in divers parts of this realm, and that many greater loſſes were like to have come, if remedy had not been haſtily provided, wherefore by authority of the ſaid parliament it was ordained and granted, by ten years then next enſuing, That ſeveral commiſſions of ſewers ſhould be made to divers perſons by the King's chancellor of *England* for the time being, named in all parts of this realm where need is, after the form following in the ſame ſtatutes, by reaſon whereof the ſaid miſchiefs were greatly reformed and amended. And whereas now of late in divers parts of this realm, by great riſing of water, many towns and lands to a great quantity be drowned and deſtroyed, to the great hindrance of this realm, and great prejudices, damages and miſchiefs, be very likely to fall, if remedy be not haſtily for the ſame provided: the King conſidering the premiſſes, and how the ten years be paſſed, hath ordained by authority aforeſaid, That during the term of xv years next enſuing, the chancellor of *England* for the time being ſhall have power to make commiſſions of ſewers out of the King's chancery, under the King's great ſeal, in ſuch form as it was granted to be made by the ſtatute made the ſaid ſixth year.

Ex.edit. Raſt.

Commiſſions of ſewers.

CAP. X.

No ſheriff ſhall let to ferm his county or any bailiwick. The ſheriffs and bailiffs fees and duties in ſeveral caſes.

ITEM, le Roi conſiderant lez graundez perjure extorſion et oppreſſion, queux ſount et ount eſteez en ceſt roialme

ITEM, The King, conſidering the great perjury, extortion, and oppreſſion which be and have been in this realm by

4 H. 4. c. 5. Hob. 13. Cro.El. 11, 12, 66, 178, 191, 199, 271.

No ſheriff ſhall let to ferm his county, or any bailiwick, hundred, or wapentake.

by his ſheriffs, under-ſheriffs, and their clerks, coroners, ſtewards of franchiſes, bailiffs, and keepers of priſons, and other officers in divers counties of this realm, hath ordained by authority aforeſaid, in eſchewing of all ſuch extortion, perjury, and oppreſſion, that no ſheriff ſhall let to ferm, in any manner, his county, nor any of his bailiwicks, hundreds, nor wapentakes; (2) nor that the ſaid ſheriffs, under-ſheriffs, bailiffs of franchiſes, nor any other bailiff, ſhall return, upon any writ or precept to them directed to be returned any inqueſts in any panel thereupon to be made, any bailiffs, officers, or ſervants to any of the officers aforeſaid, in any panel by them ſo to be made; (3) nor that any of the ſaid officers and miniſters, by occaſion, or under colour of their office, ſhall take any other thing by them, nor by any other perſon to their uſe, profit, or avail, of any perſon by them, or any of them, to be arreſted or attached, nor of none other for them, for the omitting of any arreſt or attachment to be made by their body, or of any perſon by them or any of them, by force or colour of their office, arreſted or attached, for fine, fee, ſuit of priſon, mainpriſe, letting to bail, or ſhewing any eaſe or favour to any ſuch perſon ſo arreſted, or to be arreſted, for their reward or profit, but ſuch as follow; that is to ſay, for the ſheriff xx d. the bailiff which maketh the arreſt or attachment, four pence, and the gaoler, if the priſoner be committed to his ward, four pence; (4) And that the ſheriff, under-ſheriff, ſheriff's clerk, ſteward

roialme per ſez viſcountz, ſouthviſcountz, et lour clerks, coroners, ſeneſchallx dez fraunchiſez, baillifs et gardeinz dez priſons, et autres officers en diverſez counteez diceſt roialme, ad ordeigne per lauctorite ſuiſdit, en eſchuyng dez toutz tielx extorſions, perjurie, et oppreſſion, que nulle viſcount leſſe a ferme en aſcun manere ſon counte, ne aſcun de ſez baillifwiks, hundredez, ne wapentakez, ne que lez ditz viſcountz, ſouthviſcountz baillifs dez fraunchiſez, ne aſcun autre baillif, retourne ſur aſcun briefe ou precept a eux direct, de retourne aſcuns enqueſtez ou aſcuns panellez ſur ceo deſtre fait, aſcuns baillifs, officers, ou ſervauntz a aſcun de lez officers ſuiſditz, en aſcun panelle per eux iſſint affaire, ne que null de lez ditz officers et miniſtrez, per occaſion, ou ſouth colour, de lour office, preigne aſcun autre choſe per eux ne per aſcun autre perſone a lour oeps ou availle daſcun perſone per eux ou aſcuns de eux deſtre arreſtuz ou attachez, ne de nulle autre pur eux, pur le leſſer daſcun arreſt ou attachement deſtre fait per lour corps, ou de aſcun perſone per eux ou aſcun de eux per force ou colour de lour office areſtuz ou attachez, pur fyn, fee, ſewet de priſon, maynpris, leſſance a baille, ou monſtraunce aſcun eaſe ou favour a aſcun tiel perſone iſſint arreſtuz ou arreſtier, pur lour regard ou profit, ſi noun tiel come enſuiſt, ſcilicet pur le viſcount xx d. le baillif qe face larreſt ou lattachement iiij d. & le gaoler, ſi le priſoner ſoit commis a ſa garde, iiij d. Et qe le viſcount, ſouthviſcount, clerk de viſcount, ſeneſchall

None of the ſheriff's officers ſhall be returned upon inqueſts.

21 H. 7. f. 16.
Dyer, 119.
Latch. 54.
5 Mod. 225.
3 Ed. 1. c. 26.

The ſheriff and his bailiffs fees for arreſts and attachments.
Raſt. 337.
Co. pl. 365.
The ſheriffs and officers

chall ou baillif de fraunchiſe, ſervaunt ou baillif, ne coroner, preigne per colour de ſon' office, per luy ne per aſcun autre perſone a ſon uſe, daſcun perſone pur la faiſure daſcun retourne ou panelle aſcun choſe, et pur la copie dun panell iiij d. et que lez dit viſcountz, et toutz autres officers & miniſtrez avauntditz, leſſerount hors du priſon toutz maners dez perſonez per eux ou aſcun de eux arreſtiers ou eſteant en lour garde per force daſcun briefe, bille, ou garraunt en aſcun action perſonell, ou per cauſe denditement de treſpas, ſur reſonable ſuerte dez ſufficeantz perſonez eiantz ſufficeaunte deinz lez counteez lou tielx perſonez ſount iſſint leſſez a baille ou maynpris, de garder lour jours en tielx lieux come lez ditz briefs billez ou garrauntz requirent; tiel perſone ou perſonez qui ſount ou ſerrount en lour garde per condempnation, execution, Capias Utlagatum, ou Excommunicatum ſuerte de peas, et toutz tielx perſonez qui ſount commys a gard per eſpecial commaundement daſcun juſtice, et vagerauntz refuſauntz de ſervir ſolonque la fourme del eſtatut dez laborers, tauntſoulement exceptz. Et qe nulle viſcount, ne nulle dez officers ou miniſtrez ſuiſditz, preigne ou face de prendre ou faire aſcun obligation pur aſcun cauſe ſuiſditz, ou colour de lour office, ſinoun tauntſoulement a lour meſmez, daſcun perſone, ne pur aſcun perſone, qui ſoit en lour garde per le cours de la leye, forſque ſur le noun de lour office, et ſur condition que la dit priſoner appierge a le jour conteignuz en et

ſteward or bailiff of franchiſe, ſervant of bailiff or coroner, ſhall not take any thing by colour of his office, by him nor by any other perſon to his uſe, of any perſon for the making of any return or panel, and for the copy of any panel, but ivd. (5) And that the ſaid ſheriffs, and all other officers and miniſters aforeſaid, ſhall let out of priſon all manner of perſons by them or any of them arreſted, or being in their cuſtody, by force of any writ, bill, or warrant in any action perſonal, or by cauſe of indictment of treſpaſs, upon reaſonable ſureties of ſufficient perſons, having ſufficient within the counties where ſuch perſons be ſo let to bail or mainpriſe, to keep their days in ſuch place as the ſaid writs, bills, or warrants ſhall require. (6) Such perſon or perſons which be or ſhall be in their ward by condemnation, execution, *Capias Utlagat'* or *Excommunicatum*, ſurety of the peace, and all ſuch perſons which be or ſhall be committed to ward by ſpecial commandment of any juſtice, and vagabonds refuſing to ſerve according to the form of the ſtatute of labourers only except. (7) And that no ſheriff, nor any of the officers or miniſters aforeſaid, ſhall take or cauſe to be taken, or make, any obligation for any cauſe aforeſaid, or by colour of their office, but only to themſelves, of any perſon, nor by any perſon which ſhall be in their ward by the courſe of the law, but by the name of their office, and upon condition written, that the ſaid priſoners ſhall appear at the day contained in the ſaid writ, bill or warrant, and in ſuch

fees for the copy of a panel.
3 Ed. 1. c. 26.
Cro. El. 76.
3 Leon. 208.

What perſons may be bailed, what not.
Latch. 23. 143.
Plowd. 60.

The conditions of the bail bond.

Carthew, 300.
1 Mod. 227.
2 Mod. 177.
3 Mod. 307.
1 Sid. 383.
1 Saund. 161, 162.
2 Anderſ. 122.
2 Leon, 78, 107, 118.
1 Anderſ. 267.
Hob. 13.
10 Co. 101.
Dyer, 118, 323, 364.
3 Co. 59.
10 Co. 99.
Cro. Jac. 286.
Cro. Car. 309, 438.
Savil, 81.
Hob. 72.

ſuch places as the ſaid writs, bills, or warrants ſhall require. (8) And if any of the ſaid ſheriffs, or other officers or miniſters aforeſaid, take any obligation in other form by colour of their offices, that it ſhall be void; (9) and that he ſhall take no more for the making of any ſuch obligation, warrant, or precept by them to be made, but four pence. (10) And alſo that every of the ſaid ſheriffs ſhall make yearly a deputy in the King's courts of his chancery, the King's bench, the common place, and in the exchequer, of record, before that they ſhall return any writs, to receive all manner of writs and warrants to be delivered to them: (11) And that all ſheriffs, under-ſheriffs, clerks, bailiffs, gaolers, coroners, ſtewards, bailiffs of franchiſes, or any other officers or miniſters, which do contrary to this ordinance in any point of the ſame, ſhall loſe to the party in this behalf indamaged or grieved, his treble damages, (12) and ſhall forfeit the ſum of xl. li. at every time that they or any of them do the contrary thereof in any point of the ſame; whereof the King ſhall have the one half, to be employed to the uſe of his houſe, and in no other wiſe, and the party that will ſue, the other half. (13) And that the juſtices of aſſiſes in their ſeſſions, juſtices of the one bench and of the other, and juſtices of peace in their county, ſhall have power to inquire, hear, and determine of office without ſpecial commiſſion, of and upon all them that do contrary to theſe ordinances in any article or point of the ſame. (14) And if the ſaid ſheriffs,

The ſheriff's fee for an obligation, warrant, or precept.

The ſheriff ſhall make deputies in the King's court.

The forfeitures of the offenders, and who ſhall have them.

What juſtices may inquire of hear and determine the offences aforeſaid.

The ſheriff returning *Cepi*

le dit briefe bille ou garraunt et en tielx lieux come le dit briefe bille ou garrant requiert. Et ſi aſcuns de lez ditz viſcountz ou autres officers ou miniſtrez ſuiſditz preigne aſcun obligation en autre fourme per colour de lour officez, qil ſoit voide. Et qil ne preigne pluis pur la feſaunce daſcun tiel obligation, garraunt, ou precept, per eux deſtre fait, forſque iiij. d. Et auxint que cheſcune de lez ditz viſcountz face annuelment un depute en lez courtz du Roi de ſa chaunce-rie, bank du Roy, commune bank, et leſchequer, de recorde, devaunt ceo qils retournent aſcuns briefs, de reſceiver toutz maners dez briefs et garrantz a eux deſtre deliverez. Et qe toutz lez viſcountz, ſouthviſcountz, clerks, baillifs, gaolers, coroners, ſeneſchallx, baillifs dez fraunchiſez, ou aſcuns autres officers ou miniſtrez, queux fount le contrarie diceſt ordeignaunce, ou daſcun point dicelle, perde a la partie en ycelle endamage ou greve ſez treblez damages et forface la ſomme de xl. li. a cheſcune temps que eux ou aſcun de eux fount le contrarie dicelle en aſcun point dicelle, dount le Roi davoir lune moite, ceo deſtre emploiez a le uſe de ſon hoſtiel, et en null autre manere, et lautre moite a celluy qui ceo voet ſuer. Et que lez juſtices dez aſſiſez en lour ſeſſions, juſtices del un bank et del autre, et juſtices de la peas en lour paiis, eient poair denquerer, oier et terminer, doffice, ſaunz eſpecial commiſſion, de et ſur toutz iceux, qui ferrount le contrarie diceſt ordeignaunce en cheſcune article ou point dicelle. Et ſi lez ditz viſcountz retournent

ſheriffs,

retournent ſur aſcun perſone Cepi Corpus, ou Reddidit ſe, qils ſoient chargeablez davoir le corps dez ditz perſonez a lez jours de la retourne dez ditz briefs, billez, ou garraunts, en tiel fourme come ils furent devaunt la feſaunce diceſt acte. Purveu toutz foitz, que per ceſt preſent ordeignaunce le gardeyn de la gaole le Roy de Flete, et de la paleys du Roi a Weſtminſter, pur le temps eſteant, ne ſoit endamage ne prejudice en ſon duete de ſon office. Et auxint que ceſt ordeignaunce commencera en la feſt de Paſque que ſerra en lan de noſtre ſeignur Jeſu Criſt M^l. CCCC xlvj^e.

ſheriffs return upon any perſon, *Cepi Corpus*, or *Reddidit ſe*, that they ſhall be chargeable to have the bodies of the ſaid perſons at the days of the returns of the ſaid writs, bills, or warrants, in ſuch form as they were before the making of this act.

Corpus, or *Reddidit ſe*. Dyer, 25.

II. Provided always, That the warden of the King's gaol of the *Fleet*, and of the King's palace of *Weſtminſter* for the time being, ſhall not be endamaged nor prejudiced by this ordinance in the duty of his office. And alſo that this ordinance ſhall begin at the feaſt of *Eaſter*, which ſhall be in the year of our Lord MCCCC xlvi.

The warden of the Fleet and of the palace of Weſtminſter exempted. 4 Co 76. Dyer, 119.

CAP. XI.

The order of levying the wages of the knights of the parliament.

ITEM, come devaunt ceſt temps diverſez viſcountz en diverſez counteez Dengleterre qount per colour des briefs directz a eux, pur lever lez gagez de lez chivalers de lez counteez pur le temps eſteantz, de lez parlementz du Roy qoreſt, et de ſez noblez progenitours, ount leve pluis de money, que ad eſte due as lez ditz chivalers, et pluis qils ount deliverez a eux, gardauntz et preignauntz graunde partie du dit money a lour uſe et profit demeſne, et lour officers et ſervauntz, a treſgraunde damage de la commune poeple de lez ditz counteez: le Roi conſiderant lez premiſſez, ad ordeigne per lauctorite ſuiſdit, qe le viſcounte de cheſcune counte pur le temps eſteant, en le proſchein counte tenuz en lour counteez apres la deliveraunce de lez ditz briefs fait a eux,

ITEM, *Whereas before this time divers ſheriffs in divers counties of* England, *by colour of writs to them directed, to levy the wages of the knights of the ſhires for the time being, of the parliament of the King that now is, and of his noble progenitors, have levied more money than hath been due to the ſaid knights, and more than they have delivered, keeping and retaining great part of the money to their own uſe and profit, to their officers and ſervants, to the great loſs of the common people of the ſaid counties*: (2) The King, conſidering the premiſſes, hath ordained by the authority aforeſaid, That the ſheriff of every county for the time being, in the next county court holden in their counties, after the delivery of the ſaid writs directed to them, ſhall make open proclamation, that the coroners, and every chief conſtable of the peace

The order of the levying of the wages of the knights of the ſhire for the parliament.

peace of the ſaid counties, and the bailiffs of every hundred or wapentake of the ſame county, and all other which will be at the aſſeſſing of the wages of the knights of the ſhires, ſhall be at the next county there to be holden to aſſeſs the ſaid wages of the ſaid knights; (3) and that the ſheriff, under-ſheriff, coroners, or bailiffs for the time being, be there at the ſame time in their proper perſon, upon pain of forfeiture to the King, of every of them that maketh default, forty ſhillings. (4) At which time the ſaid ſheriff or under-ſheriff, in the preſence of them that ſhall come to the ſame, and of the ſuitors of the ſame counties then being there, in the full county well and duly ſhall aſſeſs every hundred to that aſſeſſable by itſelf, to pay a certain ſum for the wages of the knights of the ſhire, ſo that the whole ſum of all the hundreds do not exceed the ſum which ſhall be due to the ſaid knights. (5) And after that in the ſame county, they ſhall aſſeſs well and lawfully every village within the ſaid hundreds, which ſhould be there aſſeſſable, to a certain ſum for the payment of the ſaid wages; ſo that the whole ſum of all the towns within any of the ſaid hundreds, do not exceed the ſum aſſeſſed upon the hundred of which they be. (6) And that the ſaid ſheriffs, under-ſheriffs, bailiffs, nor any other officer, for the cauſe aforeſaid, ſhall levy more money of any village than that whereunto they were aſſeſſed: (7) and if any do or will aſſeſs any hundred or village otherwiſe than is aforeſaid, that they ſhall forfeit for every default to the

The penalty if the ſheriff, or his officers, levy more money than is aſſeſſed.

eux, face overt proclamation, que lez coroners, et cheſcune chief conſtable de la peas dez ditz countees, et lez baillifs de cheſcun hundred ou wapentak de meſme le counte, et toutz autrez qui voillent eſtre a le aſſeſſaunce de lez gagez dez chivalers de lez counteez, ſoient a le proſchein countee illoquez a tenir, daſſeſſer lez gagez de lez ditz chivalers; et que le viſcount, ou ſouthviſcount, coroners, ou baillifs, pur le temps eſteantz, ſoient illoquez a meſme le temps en lours propres perſonez, ſur la peyn de forfaiture a Roi, de cheſcune diceux qui face defaute xl. s. a quel temps le viſcount ou ſouthviſcount, en preſence diceux qui a celle temps viendront, et de lez ſuitours dez ditz counteez adonqes eſteantz la, en le pleyn counte bien et duement ceſſa cheſcune hundred a ceo aſſeſſable per luy meſme a un certayn ſomme, de paier pur lez gagez dez ditz chivalers de lez counteez, iſſint que lentier ſomme dez toutz lez hundredez nexcede la ſomme que ſerra dewe a lez ditz chivalers: et apres ceo en meſme le counte aſſeſſe bien et duement cheſcune village deinz lez ditz hundredez a ceo aſſeſſable, a un certayn ſomme pur le paiement de lez ditz gagez, iſſint que lentier ſomme dez toutz lez villez deinz aſcun de lez ditz hundredez nexcede la ſomme aſſeſſe ſur le hundrede de quell eux ſount. Et que lez ditz viſcountz, ſouthviſcountz, baillifs, ne null autres officers pur la cauſe ſuiſdit leva pluis de money de nulle village, que ceo a que ils furent aſſeſſez, et en manere et fourme come ils ſount aſſeſſez. Et ſi aſcune face

ou

ou voille aſſeſſer aſcun hundred ou village autrement que eſt avauntdit; qils forfacent pur cheſcun defaut a Roy xx. li. et a cheſcune homme, qui voet ſuer en ceſt cas x. li. Et que lez ditz viſcountz bien & duement levent la money iſſint aſſeſſez ſur lez ditz villagez, auxi haſtifment come ils poient bonement apres le dit aſſeſſance, et icelle deliverent as lez ditz chivalers, accordant a lez briefez de ceo deſtre faitz, ſur lez ditz peynez; et celluy qui voet ſuer en ceſt cas ſoit admys a ceo, et eit pur ſa action en ceſt cas un ſcire facias envers celluy qui offende encountre ceſt ordeignaunce. Et ſi le defendant duement garniz en ycelle face defaulte, ou autrement appierge et ſoit en ycelle convict; que adonques lez pleintifs recoverent envers eux qui iſſint ſont convictz x. li. a lour propre uſe ouſtre lez ditz xx. li. ove lour damages pur lez coſtagez de lour ſuitz a le treble. Et que lez juſtices de le bank le Roi juſtices de commune bank, juſtices daſſiſez et gaole deliverer, et juſtices de la peas en lour paiis, eient, poiar denquerrer, oier et terminer, dez toutz lez ditz defaultz, ſibien per enquerre a la ſuite du Roi, come per action a la ſuite de partie. Et qe toutz tielx expenſez dez chivalers ne ſoient levez daſcuns autres villagez, ſeignouries, ou lieux, forſque dez tielx come ils ount eſte duement levez devaunt ceſt temps, et que en cheſcune tiel briefe deſore affaire pur lever lez gagez dez chivalers ſoit ceſt act comprehenduz.

the King twenty pounds, and to any man which will ſue in this caſe, ten pounds.

Who may proſecute on this act, and by what writ.

II. And that the ſaid ſheriffs well and duly ſhall levy the money ſo aſſeſſed upon the aforeſaid villages, as ſpeedily as they well may after the ſaid aſſeſſing, andthe ſame ſhall deliver to the ſaid knights, according to the writs thereof to be made, upon the ſaid penalties; (2) and he that will ſue in this caſe, ſhall be thereunto admitted, and ſhall have for his action in this caſe a *Scire facias* againſt him that offendeth contrary to this ordinance; (3) and if the defendant, duly warned in the ſame, make default, or elſe appear, and be in the ſame convict, that then the plaintiffs ſhall recover againſt them which be ſo convict, ten pounds to their own uſe, over the ſaid twenty pounds, with their treble damages for the coſts of their ſuits.

The penalty on offenders.

Who may inquire of, hear and puniſh the offenders aforeſaid.

III. And the juſtices of the King's bench, and of the common pleas, juſtices of aſſiſes, and gaol-delivery, and juſtices of peace in their country, ſhall have power to inquire, hear, and determine of all the ſaid defaults as well by inquiry at the King's ſuit, as by action at the ſuit of the parties; (2) and that all ſuch expences of knights ſhall not be levied of any other villages, ſeigniories, or places, but of ſuch whereof it hath been levied before this time.

The knights wages ſhall be levied only in the accuſtomed places.

IV. And that in every ſuch writ from henceforth to be made to levy the wages of the ſaid knights, this act ſhall be comprehended in the ſame.

35 H. 8. c. 11.

CAP. XII.

The trial shall be made when the tenant or defendant, after an issue joined, pleadeth a foreign plea, where the same writ is brought, and by the jury so returned. To endure to the next parliament.

Ex edit. Rast. ITEM, The King hath ordained and established by the authority aforesaid, That if any person or persons tenants or defendants in any action real or personal, after that they be pleaded to an issue in any suit or action, and the issue joined and entered of record, and a *Venire facias* of the jury returned, that if they or any of them after at another day in court plead any

Foreign plea. foreign plea, triable in any other court than where the writ is brought or the suit taken, and the demandants or plaintiffs in such foreign pleas plead to the issue, that such issue in such foreign plea shall be tried where the writ is brought in such suit taken, and by the same jury so returned. And that this act and ordinance shall begin at the feast of *Easter*, which shall be in the year of our Lord 1446, and shall endure till the next parliament.

CAP. XIII.

A servant in husbandry purposing to depart from his master must give him half a year's warning, or else he shall serve him the year following. The several wages of servants in husbandry, and of labourers, with meat and drink, and without.

Servants of husbandry. ITEM, The King hath ordained by the authority aforesaid, That every servant of husbandry, purposing to depart from his master at the end of his term, at the midst of his term or otherwise, make covenant before with another man to serve him for the next year, if he be in such case as the law will compel him to serve, and that the said servant and he, which so shall make covenant with him at the midst of the said term or before,

Covenant. shall give warning to the master of the said servant of the said covenant so newly made, so that the same master may provide another servant against the end of his term. And if any covenant with any such servant be otherwise made, or that such warning in manner and form aforesaid be not had, that the same covenant shall be void, and that the same servant be compelled to serve his first master for the next year, except that a lawful cause being of a later time require the contrary. And also that

Wages. the salaries and wages of servants, labourers and artificers, shall not exceed the assessing, that followeth, that is to say, the wages of a bailiff of husbandry by year xxiii. s. iiii d. and clothing price of five shillings with meat and drink, of a chief hind, a carter or chief shepherd xx. s. and clothing price of iiii. s. with meat and drink, a common servant of husbandry xv. s. and clothing price xl. d. a woman servant ten shillings, and clothing

ing price of iiii. s. with meat and drink, an infant within the age of fourteen years vi. s. and clothing price of iii. s. with meat and drink. The ſame form ſhall be obſerved of wages of ſervants being with hoſtlers, victualers, and artificers in city, borough and elſewhere. And that ſuch as deſerve leſs ſhall take leſs. And alſo in places where leſs is uſed to be given, leſs ſhall be given from henceforth. And that from the feaſt of *Eaſter*, till the feaſt of Saint *Michael*, the wages of any free maſon or maſter carpenter ſhall not exceed iiii. d. by the day, with meat and drink, and without meat and drink v. d. ob. a maſter tiler or a ſlater, a rough maſon and meſne carpenter and other artificers concerning building, by the day three pence with meat and drink, and without meat and drink iiii. d. ob. and every other labourer by the day ii. d. with meat and drink, and without meat and drink iiii. d. ob. And that from the feaſt of Saint *Michael* till the feaſt of *Eaſter*, a free maſon and a maſter carpenter by the day iii. d. with meat and drink, and without meat and drink, iiii. d. ob. tiler, meſne carpenter, rough maſon, and other artificers aforeſaid by the day ii. d. ob. with meat and drink, and without meat and drink iiii. d. And every other artificer and labourer by the day i. d. ob. with meat and drink, and without meat and drink iii. d. and he that deſerveth leſs ſhall take leſs. Provided that the ſaid aſſeſſing ſhall not extend to labourers in the time of harveſt, in which time the wages of a mower ſhall not exceed iiii. d. by the day with meat and drink, and without meat and drink vi. d. a reaper or carter iii. d. by the day with meat and drink, and without meat and drink, v. d. a woman labourer and other labourers in time of harveſt ii. d. by the day with meat and drink, and without meat and drink iiii. d. ob. and ſuch as be worthy of leſs ſhall take leſs. And in places where leſs is uſed to be taken, leſs ſhall be taken from henceforth. And that no artificer workman nor labourer ſhall take any thing for the holy day nor for the ferial day, but after the rate of the time of the day in which he laboured. And if any perſon refuſe to ſerve or labour according to the premiſſes, that every juſtice of peace in their counties ſhall have power at every time to call them to examination of the ſame and ſuch as they ſhall find defective, to commit to the gaol, there to remain till they have found ſufficient ſurety to ſerve and labour in form by the law required. And if any ſervant, artificer, workman, or labourer, do contrary to the premiſſes, or deny his ſervice, occupation or labour by reaſon of not giving of ſalary or wages, contrary to theſe ſtatutes, that he ſhall loſe to the party that will ſue in his behalf xx. s. And that the ſaid juſtices of peace ſhall have power to hear and determine all manner of offences done contrary to the form of this ſtatute as well at the King's ſuit as at the parties, and that every of the King's liege people may have the ſuit againſt every perſon that ſhall offend in any point againſt this ſtatute, and the proceſs ſhall be by attachment, *Capias*, and *Exigend*. Alſo that the juſtices of peace ſhall aſſeſs no fine upon any which ſhall be convict before them of a thing

Harveſt.

Juſtices of peace.

done contrary to any ſtatute of labourers or artificers, or for this cauſe put him in the good grace of our ſovereign lord the King under iii. s. iiii. d. And alſo that the juſtices of peace through the realm two times every year ſhall do openly to be proclaimed in their ſeſſions all the ſtatutes of labourers, artificers, hoſtlers, victualers, ſervants, and vagabonds before this time made and not revoked with this ſtatute. Alſo that by colour of the tenor of leſs lands than the husbandry of the ſame ſhall ſuffice to the continual occupation of one man, no man ſhall be excuſed to to ſerve by the year, upon the pain to be juſtified as a vagabond. Alſo that juſtices of peace ſhall have power to take all ſervants retained with any perſon by colour of husbandry, and not duly occupied about the ſame which ſervants ought by the law to be ſervants of husbandry, and to compel them to ſerve in the occupation of husbandry to ſuch as ſhall require their ſervice, and to juſtify them in every point as the ſame juſtices have power to juſtify vagabonds. And that this ſtatute ſhall begin to be of force and executory in the feaſt of Saint *Michael* which ſhall be in the year of our Lord one thouſand four hundred and forty ſix, and in no wiſe before.

Repealed by 5 Eliz. c. 4.

CAP. XIV.

The penalty of a ſubject's taker, taking any thing without the owners conſent.

The penalty if a ſubject's cator, or other do take any thing againſt the owners will.

ITEM, The King hath ordained and ſtabliſhed by the authority aforeſaid, that if any buyer or other officer of the duke of *Glouceſter*, or of any other lord or perſon, of what eſtate, degree or condition that he be, preſume upon him to take, or elſe do take any victuals, corn, hay, carriages, or any other thing whatſoever, of any of the King's liege people in any wiſe againſt their will, without lawful bargain betwixt the ſaid buyers or officers, and the ſaid liege people thereof to be made, to the uſe of the ſaid duke or other lord for their houſes, but only for the King and the Queen, and their houſes, that then if notice or requeſt be made to the mayor, ſheriff, bailiff, conſtable, officers, or other of the King's miniſters of cities and boroughs, or other counties or places where ſuch takings ſhall happen to be, that then the ſaid mayor, ſheriff, conſtable, officer and miniſter, to whom ſuch notice and requeſt ſhall be made, preſently ſhall take and arreſt all ſuch buyers and officers ſo doing or offending, and them ſhall ſend to the King's next priſon, there to remain, and not to be let to bail nor mainpriſe, until they have redelivered the ſame victuals, carriages, and other things ſo taken, or the very value of the ſame. (2) And if the ſaid mayor, ſheriffs, bailiffs, conſtables and officers aforeſaid, do contrary to this, that then they ſhall forfeit twenty pounds, whereof the King ſhall have the one half, and the party from whom ſuch things be taken, the other half, if he will ſue by an action of debt, in the which the defendant ſhall not wage his law: (3) And if he will not ſue, whoſoever will ſue for the King and himſelf, ſhall have the ſuit to recover to himſelf the one half thereof, and the King the other half. (4) And if any of the ſaid buyers, other than

The forfeiture of officers who will not aſſiſt the oppreſſed in this caſe.

of

of the King and the Queen be duly convict of ſuch unlawful taking (as afore is recited) at the ſuit of ſuch parties as ſhall ſue them in this behalf, that then they ſhall yield to the party which ſo ſueth, the treble value of the victuals, or other thing ſo taken, and the double coſts of their ſuits, and for the ſaid treſpaſs to make fine and ranſom to the King. (5) And that in all ſuch actions or ſuits aforeſaid, the King's protection ſhall not be allowed nor available for the defendant. (6) And this ordinance ſhall begin to take effect at the feaſt of *Eaſter*, which ſhall be in the year of our Lord one thouſand four hundred and forty ſix. (7) Provided always, that by this act the puniſhment ordained againſt the King's purveyors in no wiſe ſhall be reſtrained.

36 Ed. 3. c. 6. 7 R. 2. c. 8.

CAP. XV.

Who ſhall be knights for the parliament. The manner of their election. The remedy where one is choſen and another returned.

ITEM come per auctorite dun parlement tenuz a Weſtm' lan du reigne de le treſhonorable pier du Roi qoreſt primer, entre autres choſez ordeigne fuiſt, que lez citezeins et burgeiſez dez citeez et burghs venauntz au parlement ſerroient eſlieux hommez citezeins et burgeiſez reſceauntz demurrauntz et enfraunchiſez en meſmez lez citeez et burghs, et null autres; come en meſme leſtatut pluis pleynement eſt conteignuz: lez queux citezeins burgeiſez et nulle autres ount tout temps en citeez et burghs eſtez eſlieux, et as viſcountz dez counteez retournez, et ſur lour retournez reſceux et acceptez per lez parlementz devaunt cez hoeurez tenuz: et auxint come per auctorite dun parlement tenuz a Weſtm' lan du reigne le Roi qoreſt oeptiſme, ordeigne fuiſt, en quell manere et fourme lez chivalers dez counteez a venir as parlementz enapres teniers ſerrount eſlieux, et comment lez viſcountz dez meſme lez countez ſur ceo ſerroient lour retournez, come

ITEM, *Whereas by authority of a parliament holden at* Weſtminſter *the firſt year of the reign of King* Henry, *father to the King that now is, amongſt other things it was ordained, That the citizens and burgeſſes of cities and boroughs, coming to the parliament, ſhould be choſen men citizens and burgeſſes reſident, abiding, and free in the ſame cities and boroughs, and none other, as in the ſame ſtatute more fully is contained*; (2) *which citizens and burgeſſes have always in cities and boroughs been choſen by citizens and burgeſſes, and no other, and to the ſheriff of the counties returned, and upon their returns received and accepted by the parliaments before this holden.* (3) *And alſo, whereas by authority of a parliament holden at* Weſtminſter, *the eighth year of the reign of the King that now is, it was ordained in what manner and form the knights of the ſhires coming to the parliaments from thenceforth to be holden ſhould be choſen, and how the ſheriffs of the ſame counties thereupon ſhould make their returns, as in the ſame ſtatute more fully appeareth;*

1 H. 5. c. 1. 18 G. 2. c. 13. 4 Inſt. 10.

7 H. 4. c. 15.

8 H. 6. c. 7.

The ſeveral defaults of ſheriffs in returning of knights, &c. to ſerve in parliament.

peareth; (4) *by force of which ſtatute elections of knights to come to the parliaments ſometimes have been duly made, and lawfully returned, until now of late, that divers ſheriffs of the counties of the realm of* England, *for their ſingular avail and lucre, have not made due elections of the knights, nor in convenient time, nor good men and true returned, and ſometime no return of the knights, citizens, and burgeſſes lawfully choſen to come to the parliaments*; (5) *but ſuch knights, citizens, and burgeſſes have been returned, which were never duly choſen, and other citizens and burgeſſes than thoſe which by the mayors and bailiffs were to the ſaid ſheriffs returned*; (6) *and ſometimes the ſheriffs have not returned the writs which they had to make election of knights to come to the parliaments, but the ſaid writs have imbezzeled, and moreover made no precept to the mayor and bailiff, or to the bailiffs or bailiff where no mayor is, of cities and boroughs, for the election of citizens and burgeſſes, to come to the parliament, by the colour of theſe words contained in the ſame writs*; [Quod in pleno comitatu tuo eligi facias pro comitatu tuo duos milites, et pro qualibet civitate in comitatu tuo duos cives, et pro quolibet burgo in comitatu tuo duos burgenſes;] (7) *and alſo becauſe ſufficient penalty and convenient remedy for the party in ſuch caſe grieved is not ordained in the ſaid ſtatutes againſt the ſheriff, mayors, and bailiffs, which do contrary to the form of the ſaid ſtatutes*: (8) The King conſidering the premiſſes hath ordained by authority aforeſaid, That the ſaid ſtatutes ſhall be duly kept in all points; (9) and moreover that every ſheriff,

come en meſme leſtatut pluis pleynement appiert: per force de quele eſtatut elections des chivalers a venir a parlement aſcun foitz ount eſtez duement faitz et loialment retournez, tanqe a ore tarde, que diverſez viſcountz dez counteez du roialme dEngleterre pur lour ſinguler availe et lucre ne ount faitz due elections dez chivalers, ne en temps covenable, ne bons et verroiez retournez, et aſcun foitz null retournez dez chivalers citizeins et burgeiſez loialment eſluz pur venir as parlementz; mez ount retournez tielx chivalers citizeins et burgeiſez, que ne furent unquez duement eſlieux, et autres citezeins et burgeiſez, que ceux que per mairs et baillifs as ditz viſcountz furent retournez: Et aſcun foitz lez viſcountz ne ount retourne les briefs qils avoient pur faire elections dez chivalers a venir as parlementz, einz lez ditz briefs ount embeſillez, et ouſtre nulle precept as mair et baillifs, ou as baillifs ou baillif ou mair neſt, dez citees et burghs pur elections dez citezeins et burgeiſez de venir as parlementz firent, per colour de ceſtz parolx contenuz en lez ditz briefs, quod in pleno comitatu tuo eligi facias pro comitatu tuo duos milites et pro qualibet civitate in comitatu tuo duos cives et pro quolibet burgo in comitatu tuo duos burgenſes: et auxint pur ceo que ſufficeant peyne et covenable remedie pur la partie en tiel cas greve ne ſount pas ordeignez en lez ditz eſtatutz vers lez viſcountz et mairs et baillifs qui facent encountre la fourme dez ditz eſtatutz: le Roi conſiderant lez premiſſez, ad ordeigne per auc-

The ſtatutes of 1 H. 5. c. 1. 7 H. 4. c. 15. & 8 H. 6. c. 7. confirmed.

torite

torite ſuiſdit, que lez ditz eſtatutz ſoient duement gardez et obſervez en toutz pointz. Et ouſtre ceo, que cheſcune viſcount apres la livere de cheſcune tiel briefe a luy fait, ferra et delivera ſauntz fraude un ſufficeant precept deſouth ſon ſeal a cheſcune mair et baillif, ou as baillifs ou baillif ou mair neſt, deinz citeez et burghs deinz ſon countee, recitant le dit briefe, eux commandant per meſme le precept, deſlier, ſi ſoit citee, per citezeins de meſme la citee deux citezeins, et en meſme la fourme ſi ſoit burg, burgeiſez, de venir al parlement. Et que meſmez lez mair et baillifs, ou baillif ou mair neſt, dez citeez et burghs retournent loialment le dit precept a meſme le viſcount per endenturez entre meſme le viſcount et eux affaire, de lez ditz elections, et dez nouns dez ditz citezeins et burgeiſez iſſint per eux eſlutz. Et ſur ceo que cheſcune viſcount face bone et droit retourne de cheſcune tiel briefe, et de cheſcune retourne per mair et baillifs, ou baillif ou mair neſt, a luy fait. Et que cheſcune viſcount, a cheſcune foitz qui il face le contrarie diceſt eſtatut ou daſcun autre eſtatut pur election dez chivalers citezeins et burgeiſez de venir al parlement devaunt cez hoeurez fait, encourge la peyne contenu en le dit eſtatut fait le dit an oeptiſme. Et ouſtre ceo forface et paie a cheſcune perſone en apres eſlieu chivaler citezein ou burgeis en ſon counte de venir a aſcun parlement, et nemye per luy duement retourne, ou a aſcun autre perſone que en defaute de tiel chivaler, citezein, ou burgeis, ſuer le voet C li. dont cheſcun chivaler, citezein, et burgeis

ſheriff, after the delivery of any ſuch writ to him made, ſhall make and deliver without fraud a ſufficient precept under his ſeal to every mayor and bailiff, or to bailiffs or bailiff where no mayor is, of the cities and boroughs within his county, reciting the ſaid writ, commanding them by the ſame precept, if it be a city, to chooſe by citizens of the ſame city, citizens, and in the ſame manner and form, if it be a borough, by the burgeſſes of the ſame, to come to the parliament. (10) And that the ſame mayor and bailiffs, or bailiffs or bailiff where no mayor is, ſhall return lawfully the precept to the ſame ſheriffs, by indentures betwixt the ſame ſheriffs and them to be made of the ſaid elections, and of the names of the ſaid citizens and burgeſſes by them ſo choſen, and thereupon every ſheriff ſhall make a good and rightful return of every ſuch writ, and of every return by the mayors and bailiffs, or bailiffs or bailiff where no mayor is, to him made. (11) And that every ſheriff at every time that he doth contrary to this ſtatute, or any other ſtatutes for the election of knights, citizens, and burgeſſes to come to the parliament before this time made, ſhall incur the pain contained in the ſaid ſtatute made the ſaid eighth year, and moreover ſhall forfeit and pay to every perſon hereafter choſen knight, citizen, or burgeſs in his county, to come to any parliament, and not duly returned, or to any other perſon, which in default of ſuch knight, citizen, or burgeſs will ſue, an hundred pounds, whereof every knight,

The ſheriffs ſhall ſend out precepts to the mayors and bailiffs of cities and boroughs, to elect citizens and burgeſſes to ſerve in parliament.

The penalty on a ſheriff making an untrue return of a member of parliament.
11 H. 4. c. 1.
Carth. 132.
1 Shower, 353.
Hob. 78.
2 Lev. 114.
3 Lev. 30.
1 Lut. 60.
5 Mod. 311.
2 Vent. 37.
Farr. 13.
2 Salk. 502.
Carth. 232.

knight, citizen, and burgeſs ſo grieved, ſeverally, or any other perſon which in their default will ſue, ſhall have his action of debt againſt the ſaid ſheriff or his executors or adminiſtrators, to demand and have the ſaid hundred pounds, with his coſts ſpent in that caſe. (12) And that in ſuch action taken by virtue of this ſtatute, the defendant ſhall not wage his law of the demand aforeſaid in any wiſe, (13) and that no defendant in ſuch action ſhall have any eſſoin. (14) And in the ſame manner at every time that any mayor and bailiffs, or bailiffs or bailiff where no mayor is, ſhall return other than thoſe which be choſen by the citizens and burgeſſes of the cities or boroughs where ſuch elections be or ſhall be made, ſhall incur and forfeit to the King forty pounds; and moreover ſhall forfeit and pay to every perſon hereafter choſen citizen or burgeſs to come to the parliament, and not by the ſame mayor and bailiff, or bailiffs or bailiff where no mayor is, returned, or to any other perſon which in default of ſuch citizen or burgeſs ſo choſen will ſue, forty pounds, whereof every of the citizens and burgeſſes ſo grieved ſeverally, or any other perſon which in their default will ſue, ſhall have his action of debt againſt every of the ſaid mayor and bailiffs, or bailiffs or bailliff where no mayor is, againſt their executors or adminiſtrators, to demand and have of every the ſaid mayors and bailiffs, or bailiffs or bailiff where no mayor is, forty pounds, with his coſts in this caſe expended; (15) and

The penalty on a mayor or bailliff making an undue return.
4 Mod. 129.

burgeis iſſint greve ſeveralment, ou aſcun autre perſone qui en lour defaulte ſuer voet, eit ſa action de dette envers le dit viſcount, ou ſez executours ou adminiſtratours, a demaunder & aver lez ditz C li. ove ſez coſtagez en ceſt cas deſpenduz. Et que en tiel action pris per vertue diceſt eſtatut le defendaunt ne gagera ſa ley de la demaunde ſuiſdit en null manere. Et que nulle defendaunt en tiel action avera aſcun eſſoyn. Et en meſme le manere a cheſcune foitz que aſcune mair & bailliffs, ou baillifs ou baillif ou mair neſt, retournent ou retourne autres que ceux qui ſont eſluz per lez citezeins & burgeiſez dez citeez & burghs, ou tielx elections ſont ou ſeront faitz, encourge & forface a Roi xl. li. & enouſtre forface & paie a cheſcune perſone en apres eſlieu citezein ou burgeis a venir al parlement, & nemye per meſmez lez mair & baillifs, ou baillifs ou baillif ou mair neſt, retourne, ou autre perſone qui en defaulte de tiel citezein ou burgeis iſſint eſlieu ſuer voet, xl. li. dont cheſcune des citezeins & burgeyſez iſſint greve ſeveralment, ou aſcun autre perſone qui en lour defaute ſuer voet, ait ſa action de dette envers cheſcune des ditz mair & bailliffs, ou baillifs ou baillif ou mair neſt, & envers lour executours ou adminiſtratours, a demander & aver de cheſcune dez ditz mair & baillifs, ou baillifs ou baillif ou mair neſt, xl. li. ove ſez coſtagez en ceſt cas expenduz; & que en tiel action de dette pris per force diceſt eſtatut null defendaunt gagera ſa ley de la dit demaunde en null manere ne avera aſcun eſſoin.

Et

Et que cheſcune viſcount qui ne face due election dez chivalers pur venir al parlement en temps covenable, ſcilicet cheſcune viſcount en ſon pleyn counte per entre le houre de viije & le hoeure de xje devaunt le none, ſaunz colluſion en ceſt partie, & cheſcune viſcount qui ne face bon & verray retourne dez tielx elections dez chivalers de venir al parlement en temps a venir, come a eux appartient, en manere & fourme ſuiſditz, forface envers le Roi C. li. & encourge la peyne de C. li. a paier a celluy qui voet ſuer envers luy, ſez executours ou adminiſtratours, pur ceſt cauſe, per voie daction de dette, ove ſez coſtagez en celle partie expenduz ſans gager de ley de celle demaunde ou aver eſſoin, come devaunt eſt dit.

Purveu toutz foitz, que cheſcun chivaler, citezein, & burgeis, pur venir a aſcun parlement en temps aveigner a tenir, en due fourme eſleu, & noun pas retourne come deſuis eſt dit, commence ſa action de dette ſuiſdit deinz trois mois apres meſme le parlement commence, a proceder en la dit ſuite effectuelment, ſaunz fraude; & ſi iſſint ne face, eit un autre qui ſuer le voet le dit action de dette, come devaunt eſt dit, de aver & recoverer meſme la ſomme, ove ſez coſtagez en ceſt partie diſpenduz, en manere & fourme avauntdit; iſſint que null defendaunt en tiel action gagera ſa ley, ne ſoit eſſoin en null manere, come deſuis eſt dit. Et ſi aſcune chivaler, citezein ou burgeis, en temps aveignir retourne per le viſcount de venir al parlement en la manere ſuiſdit, apres tiel re-

(15) and that in ſuch action of debt, taken by force of this ſtatute, no defendant in any wiſe ſhall wage his law of the ſaid demand, nor have any eſſoin.

At what time of the day the knights for the ſhire ſhall be choſen.

II. And that every ſheriff that maketh no due election of knights to come to the parliament in convenient time, that is to ſay, every ſheriff in his full county, betwixt the hour of eight and the hour of eleven before noon, without colluſion in this behalf; (2) and that every ſheriff that maketh not good and true return of ſuch elections of knights to come to the parliament in time to come, as to them pertaineth, in manner and form aforeſaid; ſhall forfeit to the King an hundred pounds, and alſo ſhall incur the pain of an hundred pounds, to be paid to him that will ſue againſt him, his executors or adminiſtrators, for this cauſe by way of action of debt, with his coſts in this behalf expended, without waging of law of his demand, or having eſſoin as afore is ſaid.

Suits to be commenced within three months after the parliament begun.

III. Provided always, That every knight, citizen, and burgeſs to come to any parliament hereafter to be holden, in due form choſen and not returned as afore is ſaid, ſhall begin his action of debt aforeſaid within three months after the ſame parliament commenced, to proceed in the ſame ſuit effectually without fraud; (2) and if he ſo do not, another that will ſue ſhall have the ſaid action of debt (as it is before ſaid) and ſhall recover the ſame ſum with his coſts ſpent in this behalf, in manner and form afore-

foreſaid, ſo that no defendant in ſuch action ſhall wage his law, nor be eſſoined in any wiſe, as afore is ſaid. (3) And if any knight, citizen, or burgeſs, hereafter returned by the ſheriff to come to the parliament in the manner aforeſaid, after ſuch return, be by any perſon put out, and another put in his place, that ſuch perſon ſo put in the place of him which is out, if he take upon him to be knight, citizen, or burgeſs, at any parliament in time to come, ſhall forfeit to the King an hundred pounds, and an hundred pounds to the knight, citizen, or burgeſs ſo returned by the ſheriff, and after, as afore is ſaid, put out. (4) And that the knight, citizen, or burgeſs which is ſo put out ſhall have an action of debt of the ſame C li. againſt ſuch perſon put in his place, his executors, or adminiſtrators; (5) provided always, That he ſhall begin his ſuit within three months after the parliament commenced; (6) and if he do not, then he that will ſue ſhall have an action of debt of the ſame C li. againſt him which is put in place of him that is ſo put out after ſuch return, his executors, or adminiſtrators, and that no defendant in ſuch action ſhall wage his law nor be eſſoined; (7) and that ſuch proceſs ſhall be in the actions aforeſaid, as in a writ of treſpaſs done againſt the peace at the common law; (8) ſo that the knights of the ſhires for the parliament hereafter to be choſen, ſhall be notable knights of the ſame counties for the which they ſhall be choſen, or otherwiſe ſuch notable eſquires, gentlemen of the ſame counties, as ſhall be able to be knights; (9) and no man to be

The penalty if any choſen to be knight, citizen, or burgeſs, be put out, and another put in his place.

What ſort of perſons ſhall be choſen knights of the ſhires.

retourne per aſcun perſone ſoit ouſte, & un autre mys en ſon lieu; que tiel perſone iſſint mys en le lieu ceſtuy qui eſt ouſte, ſil accepte ſur luy deſtre chivaler, citezein, ou burgeis a aſcun parlement en temps avenir, forface devers le Roy C. li. & C. li. al chivaler, citezein, ou burgeis, iſſint retourne per le viſcount, & apres come devaunt eſt dit ouſte. Et que ceſt chivaler, citezein, ou burgeis, qui eſt iſſint ouſte, avera action de dette dez meſmez C. li. vers tiel perſone iſſint mys en ſon lieu, ſez executours ou adminiſtratours. Purveu toutz foitz, que il commence ſa ſuite deinz trois moys apres le parlement commence; & ſi il ne face, que celluy qui voet ſuer avera action de dette dez meſmez lez C. li. envers ceſtuy qui eſt mys en le lieu ceſtuy qui eſt iſſint apres tiel retourne ouſte, ſez executours ou adminiſtratours. Et que null defendaunt en tiel action gagera ſa ley, ne ſoit eſſoin, & que autiel proceſſe ſoit en les actions avauntditz, come eſt en briefe de treſpas fait encountre la peas de la commune ley. Iſſint que lez chivalers dez counteez pur le parlement enapres a eſliers ſoient notablez chivalers dez meſmez lez counteez, pur lez queux ils ſerront iſſint eſluz, ou autrement tielz notablez eſquiers, gentils hommez del nativitee, dez meſmez lez counteez, come ſoient ablez deſtre chivalers, et null homme deſtre tiel chivaler qui eſtoiſe en la degree de vadlet & deſouth.

be

be ſuch knight which ſtandeth in the degree of a yeoman, and under.

CAP. XVI.

The duty of a gauger, and when he ſhall have his gauge penny.

ITEM le Roi ad ordeigne & purveu per lauctorite ſuiſdit, que le denier que eſt appelle le gauge peny ne ſoit paie a le gaugeour, ne a aſcun autre en ſon noune tanqe il ou ſon deputee eit gauge lez vinez, & adonques luy de prendre & reſceiver ſon denier pur ceo, en gree, ſaunz pluis encrece ou avauntage pur ceo claymer. Et auxint qil ſoit preſt, ou ſon deputee, de faire loffice de gaugeour en toutz lieux, quant il a ceo per la partie ſoit requis; & ceo deſtre obſervez per mye tout le roialme du Roi, ſur la peyne compriſe en leſtatut fait lan xxvij, du Roy *Edward* le tierce, de gaugier dez vinez rouge & blanc, duement eſtre execut.

ITEM, the King hath ordained and eſtabliſhed by the authority aforeſaid, That the penny, which is called the gauge penny, ſhall not be paid to the gauger, nor to any other in his name, until he or his deputies have gauged the wines, and then he to take and receive his penny for the ſame in gree, without more increaſe or advantage to claim for it; (2) and alſo that he or his deputy be ready to do the office of gauger in all places, when he to that by the party ſhall be required; (3) and that to be obſerved through all the realm of *England*, upon the pain compriſed in the ſtatute made the ſeven and twentieth year of the noble King *Edward* the Third, of the gauging of red wine and white wine, duly to be executed.

When the gauge penny ſhall be paid to the gauger.

27 Ed. 3. c. 8.
28 H. 8. c. 14.

CAP. XVII.

When and where an eſcheator ſhall take his inqueſt of office, and his fee.

ITEM ordeigne eſt per lauc-.torite ſuiſdit, que cheſcune eſchetour preigne ſez enqueſtez doffice per vertue dez briefez de diem clauſit extremum, & toutz autres briefs, deinz le mois apres la deliveraunce dautielx briefs, & auxint que toutz autielx inquiſitions ſoient priſez en bonez villez, & lieux overtez: & que nulle de eux preigne, privement ne appiert, per luy ne per autre, ne per aſcune meſne perſone, pur lexecution des aſcunes tielx briefs en ou counte, ne per loccaſion de

ITEM, it is ordained, by authority aforeſaid, That every eſcheator ſhall take his inqueſts of office by virtue of the writs of *Diem clauſit extremum*, and all other writs, within the month after the delivery of ſuch writs, (2) and alſo that all ſuch inquiſitions ſhall be taken in good towns and open places; (3) and that none of them ſhall take privily nor openly by him, nor by any perſon, for the execution of any ſuch writs in one county, nor by the occaſion thereof, above the ſum

34 Ed. 3. c. 13.
1 H. 8. c. 8
Within what time and where an eſcheator ſhall take his inqueſts of office.

An eſcheator's fee for finding of an office.

ſum of ſix ſhillings and eight pence, or thirteen ſhillings and four pence, or above, where his labour and his coſts ſhall require it, ſo that the ſum which he ſo ſhall take do not excced in the whole the ſum of forty ſhillings, for the execution of any ſuch writ in one county; (4) and if any eſcheator do contrary to any of the premiſſes, that then he ſhall forfeit the ſum of forty pounds.

Leaſes ſhall be made to thoſe which do tender a traverſe to an office. 36 Ed. 3. c. 13. 8 R. 6. c. 16. 18 H. 6. c. 6.

II. And if any man traverſe an office taken before any eſcheator or commiſſioner, and thereof hath a *Scire facias* againſt any patentee, that in this caſe no protection ſhall be allowed, nor allowable; (2) and as to any grant or leaſe to be made to any perſon which ſhall traverſe any ſuch office, that the ſtatute in that caſe, before this time made, ſhall be duly obſerved: (3) and that the King ſhall have the half of the ſaid forfeiture of forty pounds, and the party which in this behalf will ſue for the King and himſelf, ſhall have the other half of the ſame.

de ceo, ouſtre la ſomme de vi s. viij d. ou xiij s. iiij d. ou defouth lou ſon labour & ſez coſtages ceo demaunderent, iſſint que la ſomme qil autielment prendra nexceda en tout la ſomme de xl s. pur lez executions daſcune tiel brief en un countee. Et ſi aſcune eſchetour face le contrarie daſcune de lez premiſſez, que adonques il forface la ſomme de xl li. Auxint que ſi aſcune homme traverſe aſcun office priſe devaunt aſcun eſchetour ou commiſſioner, & dent eit aſcun Scire facias envers aſcun patentee, que en cell caſe null protection ſoit allowe ne allowble. Et quant a aſcun graunt ou leez a faire a aſcune perſone qui traverſa aſcun tiel office, que leſtatutz en tiel cas devaunt ceſt eſtatut faitz ſoient duement obſervez; & que le Roi eit la moite de la dit forfaiture de xl li. & que la partie qui en ceſt partie voet ſuer pur le Roi & luy meſmes eit lautre moite dicelle.

CAP. XVIII.

No new impoſitions ſhall be laid upon them which buy wines in Gaſcony *or* Guyen, *by the King's officers in thoſe parts, upon pain of forfeiture of twenty pounds, and treble damages.*

Ex edit. Raſt.

ITEM, the King conſidering how divers complaints have been made before this time, by divers of his lieges merchants repairing to the parts of *Gaſcoine* and *Guyen*, how that now of late they have been ſuffered to buy wines of the growing of the high country in ſuch time as they were wont to be made: and alſo how there be divers new impoſitions demanded and levied of his ſaid lieges merchants repairing to the ſaid parts, otherwiſe than hath been uſed of old time to be demanded and levied: to the great damage of the ſame merchants, and great loſs and hindrance of all his faithful liege people, hath ordained by the authority aforeſaid, that all his ſaid merchants, repairing to the ſaid parts of *Gaſcony* and *Guyen*, may freely hereafter buy the wines there of the high country in all ſuch times, and in all ſuch

Wines.

Gaſcony.

ſuch liberties, as they have uſed to buy them xx or xxx years paſt, without any other new impoſition or charge to be put upon them. And that if any of the King's officers in the ſaid parts, or any other perſon diſturb, vex, or grieve, or do to be diſturbed, vexed, or grieved, any of the ſaid merchants, or liege people of our ſovereign lord the King, or do to be levied of any of them any new impoſitions, contrary to this ordinance: he to forfeit as oftentimes as he offendeth, to the party grieved xx pound over his treble damages to be paid to him, the one half of the ſame forfeiture of twenty pounds to be paid to the uſe of our ſovereign lord the King, and the other part to the party ſo grieved, or to him which in his default and negligence will ſue for our ſovereign lord the King in this behalf.

Statutes made at St. *Edmundsbury*, *Anno* 25 HEN. VI. and *Anno Dom.* 1447.

All ſtatutes made againſt Welchmen *confirmed. All grants of markets and fairs to any* Welchman *ſhall be void. The King's villains in* North Wales *ſhall be conſtrained to ſuch labour as they have done before.*

OUR ſovereign lord the King, at his parliament holden at St. *Edmundsbury*, in the feaſt of St. *Scolaſt*, that is to ſay the x. day of *February*, the xxv. year of his reign, by the advice and aſſent of the lords ſpiritual and temporal, and the commons of his realm in the ſaid parliament aſſembled, and by authority of the ſame parliament, hath approved, ratified, and affirmed all manner of ſtatutes made in any parliament againſt *Welchmen* before this time not repealed. And moreover hath ordained by the authority aforeſaid, That all grants of franchiſes, markets, fairs, and other liberties to buy or to ſell, to bake or to brew, and to ſell within the towns of *North Wales*, made to any *Welchman* before this time, ſhall be void and of no value. And that all the villains of our ſovereign lord the King within *North Wales* ſhall be bound and conſtrained to do ſuch labours and ſervices, as they of right have uſed to do of old time, notwithſtanding any grant made to them, or any uſage uſed by them of a later time to the contrary. And that ſuch officers ſhall have power to compel them to do ſuch labours and ſervices, as they have uſed to compel them before this time lawfully.

Ex edit. Raſt.

Welchmen.

27 H. 8. c. 26 Repealed by 21 Jac. 1. c. 28.

Statutes made at *Weſtminſter*, *Anno* 27 HEN. VI. and *Anno Dom.* 1448.

AU parlement tenuz a Weſtm' le xij. jour de Febr'

AT *the parliament holden at* Weſtminſter *the twelfth day*

day of February, *the ſeven and twentieth year of the reign of our lord King* Henry *the Sixth after the conqueſt, the ſame our lord the King, by advice and aſſent of the lords ſpiritual and temporal, and the commons being in the ſame parliament hath ordained and eſtabliſhed divers ordinances and ſtatutes in manner and form following.*

Febr' lan du reigne noſtre ſeignur le Roy *Henry* vj^e^ apres le conqueſt xxvij^e^ meſme noſtre ſeignur le Roy de ladvis & aſſent des ſeignurs eſpirituell & temporell & lez communes eſteantz en le dit parlement & par auctorite de meſme le parlement ad fait ordener & eſtablier diverſes ordinances & eſtatutes en lez manere & fourme enſuantz.

CAP. I.

If woolen cloths manufactured in England *ſhall be prohibited in* Brabant, Holland, *and* Zealand, *then no merchandiſe growing or wrought there within the dominion of the duke of* Burgoin *ſhall come into* England *upon pain of forfeiture.*

Ex edit. Raſt.

Woolen cloths.

Cloth makers.

FIRST, foraſmuch as a certain ordinance hath been proclaimed, publiſhed, and ſtrictly kept in the parts of *Brabant*, *Holland*, and *Zealand*, that no manner of woolen cloths, made in this realm of *England*, ſhall not come in the ſaid parts, there to be ſold in any wiſe, upon pain of forfeiture of the ſame cloths, wherefore the King our ſovereign lord, becauſe that it is expreſsly againſt the truce and appointments made and taken betwixt his realms, lands and ſubjects of the one party, and the lands which the duke of *Burgoin* doth hold and occupy of the other party, many times before this time hath made his letters of requeſt to be written, and ſent his meſſage for due reformation to be had in this behalf, whereof no due remedy is yet had, to the intolerable damage of all the commons of this realm, becauſe that many clothmakers, that is to ſay, men, weavers, fullers and dyers, and women webſters, carders, ſpinners, and other buyers and ſellers of the ſame, ſuch as do know none other occupations, of very neceſſity be conſtrained for their living to do the ſame occupations, and ſome of them live idly, which provoketh them to ſin and evil life: the King conſidering the premiſſes, hath ordained by the authority aforeſaid, That unleſs due continual reformation be made in the ſaid parts of *Brabant*, *Holland* and *Zealand*, of the ſaid ordinance, betwixt this and the feaſt of St. *Michael* next coming, ſo that all manner of woolen cloths made in this realm of *England* may come and be accepted in the ſame parts of *Holland*, *Brabant* and *Zealand*, there to be uttered and ſold as ſpeedily as any other merchandiſes, that then for default of ſuch reformation in this behalf no manner of merchandiſes nor goods of the growing or workmanſhip of the lands and parts, which the ſaid duke holdeth and occupieth, ſhall come in the ſaid realm of *England* after the ſaid feaſt, upon pain of forfeiture of the merchandiſes ſo brought into

into this realm, that is to ſay, the one half to our ſovereign lord the King, and the other half thereof to him which firſt ſhall ſeiſe the ſaid merchandiſes, in whoſe hands ſoever they ſhall be found. And that open proclamation ſhall be made upon that betwixt this and the xv. day of *July* next coming, within the city of *London* and other places neceſſary and convenient to the ſame. And if any ſuit be commenced hereafter becauſe of any ſuch ſeizing, in which any iſſue concerning this act ſhall be taken, that the ſaid iſſue ſhall be tried in the county where the ſaid ſeizing is had, and in none other place, this ordinance to endure but till the next parliament.

Confirmed for ſeven years by 28 H.6.c.1. vide 4 Ed.4. c.5.

CAP. II.

No licence ſhall be available to carry wools, fells, or tin to any place out of the realm, but to Calais.

ITEM, foraſmuch as King *Edward* the Third, by great deliberation ordained his whole ſtaple of wools, woolfels, and other merchandiſes to be at *Calais*, for the weal and profit of his realm, and ſafeguard of the ſaid town, and by the great liberties and franchiſes given to merchants thither repairing, after that many years came great revenues to him and to his ſucceſſors, as it appeareth of record in the King's exchequer, that is to ſay, in every year of his reign lxviij.M.li. and more, and ſo continued many years, at which time great riches came into this realm of *England* by the mean of merchants of the ſaid ſtaple then being many in number and of great riches, good juſtice and law had betwixt party and party, and by them well executed, the ſaid town of *Calais*, and the marches were well repaired, and ſoldiers paid of their wages, although that maintenant by divers and many licences given by letters patents, and by miſuſing of the ſaid licences in buying of wools and woolfels in other places than their licence containeth, in ſhipping great number and weight, and colouring the ſame by new contrived names, as morling and ſhorling: and ſome perſons which according to their licence ought to have carried their wools over the mountains, have ſold the ſame in *Brabant*, and in other places, to ſuch men which were wont to be accuſtomed to buy their wools at the ſtaple of *Calais*, and alſo by great ſtealing out of wools and woolfels not cuſtomed in divers parts of *England*, of *Ireland*, and of *Wales*, oftentimes by the conſent and mean of unlawful officers as ſearchers and ſurveyors, which take no fee, but privy rewards for doing wrong to the King, and by divers reſtraints of merchandiſes in *Calais*, as well by wars as by ſoldiers for their wages, and many other cauſes, in which the merchants of the ſaid ſtaple be not of ability nor power to enjoy their liberties and franchiſes of old time uſed and accuſtomed: now it is ſo, that by the means aforeſaid, and by the breaking of ſuch ſtaples, the cuſtoms and ſubſidies of the merchandiſes repairing to the ſaid ſtaple of *Calais* paſs not yearly xij.M. pound, which is but little in compariſon to that that they have been heretofore, the commons of this land not inriched by their

Staple.

Calais.

Wools, woolfels, &c.

wools and woolfels, and other merchandiſes, as they were wont to be, the merchants greatly miniſhed as well in number as in goods, and not of power nor of comfort to buy the wools and woolfels, and other merchandiſes as they have done of old time, the ſoldiers of *Calais* and of the marches there not paid of their wages, the town of *Calais* by default of reparation, as well within the town-walls, towers and caſtles, as without the town, of dykes, cliffs, ſluices, banks, and other reparations, which ſhould be made for defence of the town and of the water without, likely to be deſtroyed (which God defend) except that remedy be haſtily provided: our ſaid ſovereign lord the King, conſidering the premiſſes, hath ordained and eſtabliſhed by authority aforeſaid, That the mayor, conſtables, and company of merchants of the ſtaple of *Calais* for the time being, and their ſucceſſors for ever, may have and enjoy all their franchiſes and liberties and every of them, and whole repair of all manner of merchandiſes to the ſaid ſtaple, by the ſaid King or by his noble progenitors to them or to their predeceſſors or any of them, by the authority of parliament granted or confirmed, not repealed nor excepted. And that the ſaid mayor, conſtables, and their ſucceſſors, may by themſelves or by their officers and miniſters, do execution of all manner of things and matters, the knowledge whereof to them pertaineth, as well within the town of *Calais* as without the town, in the precinct pertaining to the ſame, called the Skyvynage, any commandment, writing or any other thing made or to be made to the contrary notwithſtanding. Provided always, That by this act no man ſhall be excluded of his lawful ſuit by writ of error, of any judgment given before the ſaid mayor and conſtables: nor the chancellor of *England* and the King's council ſhall not be excluded to redreſs the defaults of the ſaid mayor and conſtables, after the form of the ſtatute made the xxvii. year of the reign of King *Edward* the Third. And that no manner of licence for ſhipping of wools and woolfels, or of tin granted to any perſon or perſons, ſhall be effectual nor available to him or to them, to carry or bring any ſuch wools, woolfels, or tin, out of this realm of *England*, *Ireland*, or *Wales*, to any other place than to the ſaid ſtaple of *Calais*. And that all manner of licences by our ſaid ſovereign lord the King, or any of his heirs or ſucceſſors, to any perſon or perſons to be granted of or for wools, woolfels, or tin, to be had, carried, or ſhipped out of this realm of *England*, *Ireland*, or *Wales*, or any other place than to the ſaid ſtaple, ſhall be void and of none effect. And that every perſon or perſons, which ſhall accept, obtain, and put in execution any ſuch licence, or he or they to whoſe uſe any ſuch licence is or ſhall be granted and had, and by them, or by any other by their agreement or conſent put in execution, ſhall be out of the King's protection, and moreover, that it ſhall be lawful to the ſaid mayor, conſtables, and company of merchants of the ſaid ſtaple, and to their ſucceſſors for ever, to have and purſue an action upon this ſtatute againſt every perſon or perſons, which

Licence.

ſhall

ſhall offend contrary to this ordinance, and to have ſuch proceſs in the ſame as is provided in the *Premunire facias*, or ſuch proceſs as by the law is in an action of treſpaſs done againſt the King's peace at their election. And if any perſon or perſons at their ſuit upon the ſame be convict or attainted, that the ſame mayor, conſtables, and company of merchants ſhall have judgment to recover all the moveable goods and chattels, that any ſuch perſon or perſons ſo convict or attainted had, the day of putting in execution of any ſuch licence, or at the time of the ſaid judgment given, or at any time betwixt the putting in execution of any ſuch licence, or at the time of the foreſaid judgment given, or to the value thereof, at the election of the plaintiffs in the ſame action: whereof the two parts of the goods and chattels ſo recovered and had in execution, or the value thereof, ſhall be employed for reparations of gutters, ſluices, and banks at *Calais* aforeſaid, by the ſurveying of the maſter of the ſaid works there for the time being, and the third part thereof ſhall remain to the mayor, conſtables, and company aforeſaid. Provided always, That the ſaid action be had and commenced within the county where ſuch licence ſhall be put in execution. And if any ſuch licence be put in execution in *Ireland* or *Wales*, that then the ſuit ſhall be commenced in the county within *England* next adjoining to the place where ſuch licence ſhall be put in execution in *Ireland* or *Wales*. And moreover, That every perſon or perſons, which ſhall ſhip, or bring or do to be ſhipped or carried any wools, woolfels, or tin out of this realm, *Ireland*, or *Wales*, by colour of any licence, or otherwiſe, and them to put to ſale in any other part or place out of the ſaid realm of *England*, *Ireland*, or *Wales*, than to the ſaid ſtaple of *Calais*, unleſs the ſhip, in which the ſaid wools, woolfels, or tin ſhould be periſhed, and may not be brought to the ſaid ſtaple, and thereof be attainted or convict at the ſuit of the ſaid mayor, conſtable and company of merchants of the ſaid ſtaple, by ſuch action and proceſs grounded upon this act, as it is afore rehearſed, the ſame action to be taken in the county where the ſaid wools, woolfels, or tin be ſhipped or carried out, that he ſhall forfeit all his goods and chattels, to be employed and had in the form aforeſaid. And if any wools, woolfels, or tin, from henceforth be carried or ſhipped to be had out of this realm of *England*, *Ireland*, or *Wales*, to any other place out of *England*, *Ireland*, or *Wales*, than to the ſaid ſtaple by force of any licence, that then it ſhall be lawful to every perſon, being the King's liege-man, to ſeize the ſaid wools, woolfels, and tin, and them keep to his own uſe after ſuch ſeizing. And that every cuſtomer, comptroller, ſearcher, and ſurveyor, which by his knowledge ſhall ſuffer or admit any wools, woolfels, or tin to be ſhipped within any port, creek, haven, or any other place where they be officers, or any other port or place than to the ſaid ſtaple as afore is ſaid, by force of any licence, or by colour thereof, by force of any writ or other commandment, in affirming or approving of any ſuch licence to them to be directed, or

Mayor of the ſtaple.

Cuſtomer. Comptroller. Searcher.

willingly ſuffer any ſuch merchandiſes to paſs out of this realm, not cuſtomed or not weighed at the King's beam, ſuch of them which ought to be weighed, ſhall incur the pain and forfeiture aforeſaid. And he or they ſhall be reputed and judged in like caſe, as he which executeth any ſuch licence to any other place than to the ſaid ſtaple, after that he thereof ſhall be convict at the ſuit of him which in this caſe will ſue. And that it ſhall be lawful to every perſon being the King's ſubject and liege-man, that in ſuch caſe will purſue, to have ſuch action againſt the ſaid cuſtomers, comptrollers, ſearchers, and ſurveyors, as is provided againſt ſuch perſons which ſhall put in execution any ſuch licence, as afore is ſaid. And that all manner of thing done contrary to the ordinance of this ſtatute, as well within this realm as without, not triable by matter of record, ſhall be put in iſſue, and be triable by inqueſt in the ſame county and viſne, where the ſaid action ſhall be taken. Provided always, That all manner of licences for wool and tin to paſs by the ſtreights of *Marrock*, ſhipped in gallies or carracks for paying cuſtoms and ſubſidies as aliens do or ſhall do, ſhall be only except. Provided alſo, That this act ſhall not extend, nor ſhall be prejudicial to the licence granted by our ſaid ſovereign lord the King by his letters patents, bearing date the xxiiij. day of *July*, the xxvi. year of his reign, to our lady the queen his companion, to ſhip and carry by her, her deputies, aſſigns, or creditors, wools, woolfels, and tin, after the form and effect of the ſaid letters patents, ſo that the ſaid wools, woolfels, and tin, and every of them ſhall be and be ſhipped in galley or gallies, carack or caracks, and carried by the ſtreights of *Marrock*. Provided alſo, That this act ſhall not extend to be prejudicial to the licence granted by our ſovereign lord the King by his letters patents, bearing date the firſt day of *July* the xxiiij. year of his reign to the duke of *Suffolk*, by the name of *William* marquis and earl of *Suffolk*, to ſhip and carry by him, his deputies or attornies, two thouſand ſacks of wool, of the growing of the county of *Norfolk*, after the form and effect of the ſame letters patents. And that open proclamation of this ordinance ſhall be made in every town where the county courts be holden, every port, haven, and market town next adjoining to the ſaid ports, by the ſheriff of every county or his deputy, once every month by the ſpace of half a year next after this ordinance made, after this act ſent againſt them by writ of record, upon pain of xx li. to be forfeit to the King, if the ſaid proclamation be not duly executed. Provided always, That this grant or ordinance ſhall not extend to the prior and convent of St. *John* of *Bridlington* and his ſucceſſor, which have licence by the King's letters patents made to them the ix. of *November*, the xxvi. year of his reign, to ſhip, carry, or bring their wools to the number xii. ſarplers, containing xxx. ſacks or within, to other places or ports beyond the ſea, than to the ſaid ſtaple of *Calais*. Provided alſo, That this grant or ordinance ſhall not extend to grants ſeverally made to *Thomas Walſingham*, *Thomas Browne*, and to *John Pennycock*, eſquires, by

by the letters patents of our ſovereign lord the King before this time, to ſhip, carry, or bring certain wools to other places or ports beyond the ſea than to the ſaid ſtaple of *Calais*, but that they ſhall be clearly except of this ordinance. And that this ordinance ſhall begin at the feaſt of the nativity of St. *John* the *Baptiſt* next coming, and ſhall endure till the end of five years next following.

CAP. III.

Merchants aliens ſhall beſtow all their money upon other merchandiſes, and carry forth no gold or ſilver, upon pain of forfeiture thereof.

Ex edit. Raſt.
4 Inſt. 51.
4 H.4 c.15.
5 H.4 c.9.
3 H.7 c 8.

ITEM, where it is ordained by a ſtatute made in the fourth year of King *Henry* the Fourth, noble progenitor of our ſovereign lord the King that now is, that all merchants aliens, ſtrangers and denizens, that bring any merchandiſes into this realm of *England*, and them ſell within the ſaid realm of *England*, ſhould put all the money for the ſaid merchandiſes, received or to be received, to be employed for other merchandiſes of *England*, to carry out of this realm, without bearing away with them any gold or ſilver in coin, plate, or maſs, out of the ſaid realm, upon pain of forfeiture of the ſame: which notwithſtanding, divers merchants aliens, ſtrangers and denizens, daily in divers ports, havens, creeks, and other places within the ſaid realm, bring in wheat, corn, and other merchandiſes and victual, for the which they receive gold and ſilver, and the ſame carry with them out of the ſaid realm, without any employment of the ſaid gold and ſilver upon any merchandiſes of this realm, in great damage and impoveriſhment of this realm, and miniſhing of the King's coin, in default of due ſearch had of cuſtomers, comptrollers, and ſearchers, having power and authority to do their offices to be executed: our ſaid ſovereign lord the King, conſidering the premiſſes, hath ordained by the authority aforeſaid, That if any merchants, aliens and ſtrangers, bring, bear, or carry any wheat, corn, or any other merchandiſes or victual in any haven, port, or creek, or other places of this ſaid realm, that the mayors, bailiffs, portereſes, cuſtomers, comptrollers, ſearchers, and other officers there of the ſaid port, haven, or creek, or other places, and every of them, ſhall have full authority and power to arreſt and ſeize all ſhips, barges, and other veſſels charged and freighted with wheat, corn, or any other merchandiſes or victual, ſo brought into this realm of any country out of this realm, to ſell and to take ſufficient ſurety of all the ſaid merchants aliens and ſtrangers, for the ſaid wheat, corn, or other merchandiſes and victual ſo brought by the ſaid merchants aliens and ſtrangers coming and repairing to the ſaid ports, havens, and creeks, and other places of this ſaid realm. And that the money which ſhall be taken or received for the ſaid wheat, corn, and other merchandiſes or victual ſhall be employed upon the merchandiſes and commodities of this realm without fraud, ſubtilty, or male-engine. And if any gold or ſilver

Gold. Silver. Plate.

ſilver in coin, plate, or maſs, by merchants aliens, ſtrangers or denizens be carried out of this realm, taken or received for wheat, corn, or any other merchandiſes or victual, to be brought into this realm of any other country out of this realm, contrary to this ordinance afore recited, that it ſhall be lawful to every perſon to purſue an action of debt againſt all ſuch cuſtomers, comptrollers, and ſearchers, and every of them, in whoſe knowledge and default againſt their office, any ſuch gold or ſilver in coin, plate, or maſs, is had and carried out of this realm, to be purſued in ſuch counties where ſuch wheat, corn, or any other merchandiſe or victual is brought and put to ſale, and in the ſaid action ſhall make his demand of a ſum amounting to the value of the ſaid wheat, corn, merchandiſe, or victual. And that the parties or party, which is ſo ſued, and firſt appeareth, ſhall be put to anſwer in the ſaid action, and ſhall not wage his law in the ſaid action, nor eſſoin nor protection ſhall be in the ſame action for him or for any of them allowed. Provided always, That this ordinance ſhall begin and ſhall be in his force in the xv. of *Eaſter* next enſuing, and ſhall endure till the next parliament. And that proclamation thereof be made before the ſaid xv. in all parts of this realm, where any wheat, corn, or other merchandiſes or victual be or ſhall be brought into this realm, from any country out of this realm.

CAP. IV.

A rehearſal and confirmation for three years of the ſtatute of 20 Hen. VI. cap. 3. *provided againſt* Welſhmen *that take any* Engliſhmen, *their goods and chattels, and carry them into* Wales.

Wales. ITEM, whereas at the grievous complaint of the commons of the counties of *Hereford*, *Glouceſter*, and *Shropſhire*, which be adjoining to the marches of *Wales*, and of the commons of the counties of *Somerſet*, *Briſtol*, and *Cheſter*, at the parliament holden at *Weſtminſter* the xx year of the reign of our ſovereign lord the King that now is, it was ordained by authority of the ſaid parliament, That if any people of the ſaid counties, their goods and chattels were wrongfully taken in any of the ſaid

Treaſon. counties by any men of *Wales*, and out of the ſaid counties into *Wales*, or into the marches of *Wales* conveyed, carried, or brought, or retained, that ſuch taking or takings, receipts, abettments, or withholding of ſuch offences aforeſaid, ſhall be judged high treaſon, and whoſoever thereof ſhall be attainted, ſhall be taken and judged as traitors to our ſovereign lord the King. And that the juſtices of peace in their ſeſſions in the ſaid counties, ſhall have power to enquire, and there to determine of all ſuch offenders, their abettors and receivers, and to make proceſs againſt the perſons ſo indicted by ii. *Capias* and an *Exigend*, every *Capias* containing the ſpace of two months betwixt the date thereof and the return of the ſame. And that mention ſhall be made in the ſaid writs of *Capias*, that the

the ſheriffs of the counties for the time being ſhall make proclamation in their counties, that they ſo indicted ſhall appear before the ſaid juſtices in their ſeſſions, to anſwer to the matters contained in the ſaid indictment. Provided always, That the lords marchers, of whom ſuch offenders, their abettors and receivers ſhall hold their land and tenements, ſhall have the forfeiture thereof, and alſo the forfeiture of their goods and chattels found within their ſeignories, after that they ſhall be attainted of ſuch offences, which ordinance ſhould endure but for vi. years then next enſuing: our ſaid ſovereign lord the King, at the requeſt of the commons of the ſaid counties, by the advice and aſſent aforeſaid, will, That the ſaid ordinance made in the ſaid parliament holden at *Weſtminſter* the ſaid twentieth year of his ſaid reign, for ſuch wrongful taking, ſhall endure for ſix years, and ſhall take effect and be in his force till the next parliament, and then to expire.

CAP. V.

Certain days wherein fairs and markets ought not to be kept.

ITEM conſideratis abominabilibus injuriis & offenſis omnipotenti Deo noſtro ſanctiſque ſuis noſtris ſemper in neceſſitatibus adjutoribus & ſuccurſoribus ſingularibus cauſa feriarum & mercatorum ſuper eorum ſumma principalia feſta veluti in feſto Aſcenſionis domini de corporis Chriſti die Pentecoſtes die Dominica ſancte Trinitatis cum aliis diebus Dominicis Ac etiam in ſummo feſto Aſſumptionis beate Marie die omnium ſanctorum & in die Paraſceves conſuetudinaliter & miſerrime in regno Anglie tentorum & uſitatorum factis & perpetratis in quibus principalibus feſtivalibuſque diebus pro magna cupiditate terrena populus voluntarie plus vexatus & in labore corporali deturbatus exiſtit quam aliis diebus ferialibus videlicet in infigendo & faciendo bothas & ſtallas portando & vehendo levando & collocando mercimonia ſua extrorſum & domorſum quaſi nichil habentes

ITEM, *conſidering the abominable injuries and offences done to Almighty God, and to his Saints, always aiders and ſingular aſſiſters in our neceſſities, becauſe of fairs and markets upon their high and principal feaſts, as in the feaſt of the* Aſcenſion *of our Lord, in the day of* Corpus Chriſti, *in the day of* Whitſunday, *in* Trinity-Sunday, *with other* Sundays, *and alſo in the high feaſt of the* Aſſumption *of our bleſſed Lady, the day of* All-Saints, *and on* Good-Friday, *accuſtomably and miſerably holden and uſed in the realm of* England; *in which principal and feſtival days, for great earthly covetiſe, the people is more willingly vexed, and in bodily labour foiled, than in other ferial days, as in faſtening, and making their booths and ſtalls, bearing and carrying, lifting and placing their wares outward and homeward, as though they did nothing remember the horrible defiling of their ſouls in buying and ſelling, with many deceitful lies and falſe perjury, with*

drunkenneſs and ſtrifes, and ſo ſpecially withdrawing themſelves and their ſervants from divine ſervice; (2) the foreſaid lord the King, by the advice and aſſent of the lords ſpiritual and temporal, and the commons of this realm of *England*, being in the ſaid parliament, and by authority of the ſame parliament, hath ordained, That all manner of fairs and markets in the ſaid principal feaſts and *Sundays*, and *Good Friday*, ſhall clearly ceaſe from all ſhewing of any goods or merchandiſes (neceſſary victual only except) upon pain of forfeiture of all the goods aforeſaid, ſo ſhewed, to the lord of the franchiſe or liberty where ſuch goods, contrary to this ordinance, be or ſhall be ſhewed (the four *Sundays* in harveſt except.) (3) Nevertheleſs, of his ſpecial grace, by authority aforeſaid, granteth to them power, which of old time had no day to hold their fair or market but only upon the feſtival days aforeſaid, to hold by the ſame authority and ſtrength of his old grant, within three days next before the ſaid feaſts, or next after, proclamation firſt made to the ſimple common people, upon which day the aforeſaid fair ſhall be holden, always to be certified, without any fine or fee to be taken to the King's uſe. (4) And they which of old time have by ſpecial grant, ſufficient days before the feaſts aforeſaid, or after, ſhall in like manner as is afore ſaid, hold their fairs and markets the full number of their days, the ſaid feſtival days and *Sundays*, and *Good Fridays*, except.

The penalty on thoſe who ſhall keep fairs or markets upon Sundays.

tes in memoria horribilem inquinationem animarum ſuarum in emptione & venditione deceptivis multimodis mendaciis & falſo perjurio cum ebrietate & contentionibus & ſpecialiter ſe ipſos & eorum ſervientes a divino ſervitio ſubtrahendo prefatus dominus Rex de aviſamento & aſſenſu dominorum ſpiritualium & temporalium ac communitatis regni ſui Anglie in dicto parliamento exiſtentium nec non autoritate ejuſdem parliamenti ordinavit quod omnimoda ferie & mercata in dictis principalibus feſtis & diebus Dominicis ac die Paraſceves penitus ceſſent ab omnimoda monſtratione aliquorum bonorum vel mercandiſarum neceſſariis victualibus exceptis ſub pena forisfacture omnium bonorum predictorum ſic monſtratorum domino franchefie ubi hujuſmodi bona in contrarium iſtius ordinationis ſunt vel erunt monſtrata quatuor diebus dominicis in autumpno exceptis. Nichilominus ex ſua gratia ſpeciali auctoritate ſupradicta concedens poteſtatem illis qui ex antiquo nullum diem ad tenendum feriam vel mercatum ſuum niſi ſolummodo ſuper diebus feſtivalibus predictis habent ad tenendum ea auctoritate & vigore antique conceſſionis ſue infra tres dies prox' ante feſta predicta vel prox' poſt cum proclamatione prius facta ad ſimplicem vulgarem populum ſuper quem diem feria predicta tenebitur ſemper certiorand' abſque aliquo fine ſeu feodo ad uſum domini regis capiendo. Et illi qui habent ex antiquo per ſpecialem conceſſionem dies ſufficientes ante ſupradicta

II. Pro-

feſta

feſta vel poſt plenum numerum dierum ſuorum obſervent conſimili ſupradicto modo ad tenend' ſuas ferias vel mercata dictis diebus feſtivalibus & dominicis ac die Paraſceves exceptis.

Proviſo ſemper quod preſens ordinatio incipiat ſumere effectum ad feſtum ſancti Michaelis proximo futurum & non ante & durabit uſque ad proximum parliamentum & ſic deinde niſi in dicto prox' parliamento allegetur monſtretur & probetur cauſa rationabilis pro qua videbitur non expediens quod ordinatio predicta ſic perdurabit.

II. Provided always, That this preſent ordinance ſhall begin to take effect at the feaſt of St. *Michael* next coming, and not before, and ſhall endure until the next parliament, and ſo forth, except in the ſaid parliament a reaſonable cauſe be alledged, ſhewed, and proved, for the which it ſhall ſeem not expedient that the foreſaid ordinance ſo ſhall endure.

CAP. VI.

The King's pardon granted to all prieſts, as well ſecular as religious, of ſeveral offences, forfeitures, &c.

ITEM, Foraſmuch as in divers parts of the realm of *England*, many prieſts, as well ſecular as religious, were grievouſly and wrongfully vexed and troubled by divers indictments of felony, to their great damage, againſt faith and conſcience, for the ſingular lucre of other perſons, and not for the King's profit: our ſaid ſovereign lord the King, conſidering the premiſſes, and for that the clergy being in the laſt convocation, granted to our ſaid ſovereign lord the King a ſubſidy, to be taken and levied of all ſecular prieſts-ſtipendiary, and chantery prieſts within the realm of *England*, that is to ſay, of every prieſt vi. ſhillings and viii. d. by the advice and aſſent and authority aforeſaid, hath pardoned and acquitted all and every prieſt, as well religious as ſecular, of all felonies of rape done before the firſt day of *June*, the xxvii. year of the reign of our ſaid ſovereign lord the King. And alſo hath pardoned and releaſed by the ſame authority to all and every prieſt ſecular, ſtipendiary and annual, all the ſame that to the ſaid our ſovereign lord the King pertaineth or belongeth, by way of forfeiture of every of them before the ſaid firſt day of the month of *June*, becauſe of taking exceſſive wages contrary to the ſtatutes thereof made, and that every of them may have ſufficient writs thereupon for their diſcharge without ſuing any charter.

Ex. edit. Raſt. Prieſts.

Statutes made at *Weſtminſter*, *Anno* 28 HEN. VI. and *Anno Dom.* 1449.

AL honour de Dieu & de ſeint egliſe & pur les commune bien & profit de tout le

TO *the honour of God and of holy church, and for the common wealth and profit of all the*

the realm of England, *our lord the King*, Henry *the Sixth after the conqueſt, by advice and aſſent of the lords ſpiritual and temporal, and at the ſpecial inſtance and requeſt of the commons in the parliament aſſembled of our ſovereign lord the King that now is, holden at* Weſtminſter *the ſixth day of* November, *the eight and twentieth year of his reign, by authority of the ſame parliament, hath ordained and eſtabliſhed certain ordinances and ſtatutes in manner and form following.*

le roialme dEngleterre noſtre ſeignur le Roy *Henry* puis le conqueſte ſiſme del advis & aſſent des ſeignurs eſpirituelx & temporelx & a les eſpecialx inſtance & requeſt des communes aſſemblez au ſon parlement tenuz a Weſtm' le ſiſme jour de Novembr' lan de ſon reigne xxviijme par lauctorite de meſme le parlement ad ordeignez & eſtabliez certeins eſtatutz & ordenaunces par manere qe enſuit.

CAP. I.

A rehearſal and confirmation for ſeven years of the ſtatute of 27 HEN. VI. cap. 1. *prohibiting the merchandiſes of* Holland, Zealand, *and* Brabant *to be brought into this realm, until* Engliſh *cloth may be ſold there.*

Ex edit. Raſt. Woolen cloths.

FIRST, Whereas at his parliament holden at *Weſtminſter* the xxvii year of his reign, becauſe of a certain ordinance, had, proclaimed, publiſhed and ſtraightly kept in the parts of *Brabant*, *Holland*, and *Zealand*, that no manner of woolen cloths made in this realm ſhould not come in the ſaid parts, there to be ſold in any wiſe, upon pain of forfeiture of the ſame cloths, wherefore our ſaid ſovereign lord the King, becauſe that it was expreſsly againſt the truce and appointment made and taken betwixt his realms, lands and ſubjects of the one part, and the lands which the duke of *Burgoin* holdeth and occupieth of the other part, many times before this time made his letters of requeſt to be written, and ſent his meſſage for due reformation to be had in this behalf, whereof no due remedy is yet had, to the intolerable damage of all the commons of this realm, becauſe that many clothmakers, that is to ſay, men weavers, fullers, and diers, and women webſters, carders, and ſpinners, and other buyers and ſellers of the ſame, ſuch which know none other occupation of very neceſſity be conſtrained for their living to do theſe occupations, and ſome of them live idlely, which provoketh them to ſin and evil life, and upon this conſideration in the ſaid parliament the ſaid xxvii. year it was ordained, That unleſs due continual reformation were made in the ſaid parts of *Brabant*, *Holland*, and *Zealand*, of the ſaid ordinance, betwixt this time and the feaſt of Saint *Michael* then next enſuing, ſo that all manner of woolen cloths made in this realm may come and be accepted in the ſame parts of *Brabant*, *Holland*, and *Zealand*, there to be uttered and ſold as ſpeedily as any other merchandiſes: that then for default of ſuch reformation in this behalf, no manner of merchandiſes nor goods of the growing nor workmanſhip

Cloth-makers.

manſhip of the lands and parts, which the ſaid duke holdeth and occupieth, ſhould not come in the ſaid realm after the ſaid feaſt, upon pain of forfeiture of the ſame merchandiſe, that is to ſay, the one half thereof to the King, and the other half to him which firſt ſhall ſeiſe the ſaid merchandiſes, in whoſe hands ſo ever that they ſhall be found, and that thereupon open proclamation ſhall be made betwixt this time and the xv. day of *July* then next enſuing, within the city of *London*, and other places neceſſary and convenient to the ſame. And if any ſuit be commenced after this time becauſe of any ſuch ſeiſure, in which any iſſue concerning this ordinance ſhall be taken, that the ſaid iſſue ſhall be tried in the counties where the ſaid ſeiſure ſhall be had, and in none other place, which ordinance ſhould have endured till the next parliament. And foraſmuch as by the ſummons and commencement of this preſent parliament, the ſaid ordinance ſhall be fully expired and determined, no due reformation on the behalf of the ſaid duke of *Burgoin* of the premiſſes yet had our ſaid ſovereign lord the King, conſidering the premiſſes, by the advice, aſſent and authority aforeſaid, hath ordained and ſtabliſhed, That open proclamation ſhall be made in the city of *London* and other places neceſſary and convenient for the ſame, betwixt this and the feaſt of Saint *Peter* called *ad Vincula* next coming, that unleſs due continual reformation be made and had in the ſaid parts of *Brabant*, *Holland*, and *Zealand*, betwixt that and the feaſt of Saint *Michael* then next enſuing, ſo that all manner of woolen cloths made in this realm of *England*, may come and be accepted in the ſame parts of *Brabant*, *Holland*, and *Zealand* there to be uttered and ſold, as ſpeedily as any other merchandiſes, that then for default of ſuch reformation in this behalf, no manner of merchandiſes nor goods of the growing nor workmanſhip of the lands and parts, which the ſaid duke holdeth and occupieth, ſhall come into this realm after the ſaid feaſt of Saint *Michael*, upon pain of forfeiture of the merchandiſes, that is to ſay, the one half thereof to the King, and the other half to him which firſt ſhall ſeiſe the ſaid merchandiſes, in whoſe hands ſo ever they ſhall be found. And if any ſuit be commenced hereafter becauſe of any ſuch ſeiſure, in which any iſſue concerning this ordinance ſhall be taken, that the ſaid iſſue ſhall be tried in the county where the ſaid ſeiſure is had, and in none other place. And that this ordinance ſhall endure for vii. years, if due reformation be not made within that time. Merchandiſes. Vide 4 Ed. 4. c. 5.

CAP. II.

The penalty for taking any perſons horſes or cart without the delivery of the owner, or ſome officer, or for taking money to ſpare them.

ITEM, Whereas divers hoſtlers, brewers, and other victuallers, keeping hoſteries and other houſes of retailing of victuals in divers places in this realm, have purchaſed the King's letters patents, ſome to them for term of life, and ſome to them and to other jointly for term of their lives, to take horſes and carts for the Ex edit. Pult.

the carriage of the King and Queen, more for their private and ſingular lucre and profit, than for any faithful ſervice of the King, or of the Queen: by colour of which letters patents they daily take horſes and carts where that no need is, and bring them to their hoſteries and other places of their affinity, and there keep them ſecretly ſometime, until they have ſpent xx d. or xl d. of their ſtuff, and ſometime more, and then they make the owners of the ſaid horſes and carts to pay for the ſame before that they can get delivery of their horſes and carts, and ſome till they have made a fine with them for ſuch horſes and carts at their will: and of ſome of the King's people they take fines to ſhew favour, and not to take their horſes and carts; ſo that divers perſons of the King's liege people in this noble realm, be greatly indamaged by the ſaid takers, as well for the non-payment of the hire of the ſaid horſes and carts, as for the great charge they have for their meat, and fines made for their delivery after they be ſo taken: (2) our ſaid lord the King by the advice and aſſent aforeſaid, hath ordained and ſtabliſhed, That all ſuch letters patents, granted to any perſon or perſons holding any hoſteries, brewhouſes, or houſe of retailing of victual, ſhall be void, and of no value nor effect; and if any ſuch grant be made to any ſuch perſon or perſons from henceforth, that all ſuch patents ſo granted ſhall be void and of none effect. (3) And that no perſon or perſons ſhall take horſe or cart in any place within this realm, but by the delivery of the mayor, ſheriff, bailiffs or conſtable where ſuch taking ſhall be had. (4) And if any ſuch perſon or perſons take any horſe or cart of any perſon or perſons, without agreement made to the poſſeſſor for the ſame, and by the delivery of the mayor, ſheriff, bailiff or conſtable where ſuch taking ſhall be had, that then he or they from whom ſuch horſe or cart is taken, and he or they of whom ſuch fines or payments be taken, as is afore rehearſed, ſhall have an action of treſpaſs at the common law for ſuch takings. (5) And that he or they that feeleth himſelf grieved in ſuch action, ſhall recover treble damages againſt him or them which ſo take any horſe or cart, fines or payment, contrary to this ordinance; (6) ſaving always to the King his prerogative and his pre-eminence of and in the premiſſes.

The penalty for taking any horſe and cart without the delivery of the owner and ſome officer.

3 Ed. 1. c. 32.
21 R. 2. c. 5.

CAP. III.

The King's pardon to thoſe that were ſheriffs or clerks the laſt year before, for occupying their places above one year, contrary to the ſtatute of 23 Hen. VI. c. 8.

Ex edit. Raſt. Sheriffs.

ITEM, By advice, aſſent, and authority aforeſaid, it is ordained and granted, That the ſheriffs and under-ſheriffs, clerks, and every of them, which were for the year laſt paſſed, ſhall be quit and diſcharged againſt our ſaid ſovereign lord the King and all his liege people, of the penalties and forfeitures of CC. li. which they or any of them might fall in or incur by force of the ſtatute made the xxiii. year of our ſaid ſovereign lord the King, as for the occupation or exerciſe of the office of ſheriff longer than by a year, from the day next after the day of

All

All souls, in the xxvii. year of the reign of our said sovereign lord the King, that now is, till the feast of the purification of our Lady then ensuing, in the eight and twentieth year of our said sovereign lord. Provided always, That by this present ordinance they nor none of them shall be excused or discharged of any other offence or thing done by them or any of them in their said offices. Provided also, That none shall be amerced for any suit commenced by him against any person to recover the said penalty, for the longer occupying than by the year, from the day after the said day of *All Souls*, till the said feast of the purification of our Lady.

CAP. IV.

Felony for any Welsh *or* Lancashire *man to take other men, their goods or chattels, under colour of distress, where they have no cause.*

ITEM, Whereas divers misruled persons of the counties and seigniories royals in *Wales*, and of the dutchy of *Lancaster*, in the said parts daily take and use to take divers persons, places and chattels in the said counties, dutchy, and seigniories, by the name and under colour of distress, where they have no manner of fee, seigniory, nor cause to take such distress, but feign some actions and quarrels to grieve and destroy the faithful people of the said counties, dutchy, and seigniories against law, reason, and conscience, and the aforesaid persons, goods, and chattles so taken, bring and carry out of the counties, dutchy and seigniories aforesaid, where they be taken, to divers other places in *England* and *Wales*: and many times for taking of such distresses, and in resistance of them, great assemblies of people, riots, maims, and murders, be made and had, and if it be not hastily remedied other inconveniencies be like thereof to pursue: of which takings, bringings, and carryings in this behalf no punishment is, wherefore the people of the said parts daily abound and increase in evil governance: our said sovereign lord the King, willing to remedy the premisses, by advice, assent, and authority aforesaid hath ordained and stablished, That if any person take any goods, chattels, or person in any of the said counties, dutchy, or seigniories, and them bring or carry to any places out of any of the said counties, dutchy or seigniories, in which they be taken, to any other places, that all manner of such takings, bringings, or carryings, shall be had and judged felony: and if any person thereof be duly attainted in any manner, that he shall have execution as a felon should have: and that no manner of person in the said counties, dutchy, or seigniories, nor in none other places in *Wales*, arrested, accused, or indicted of felony in any manner shall be admitted to disclaim out of the said county, dutchy, or seigniory, where he is so indicted, accused, or arrested. Provided always, That no person shall be indamaged nor grieved by this ordinance, for taking within his fee, or for any manner of cause wherefore distress or taking is lawful by the common law of *England*, this ordinance to endure for five years.

Distress.

Felony.

CAP.

CAP. V.

The penalty of the officers of the cuſtoms, which by colour of their offices ſhall diſtrain any man's ſhips or goods.

ITEM, *Whereas divers waterbailiffs, ſearchers, comptrollers of the ſearch, and other their deputies and ſervants within the ports of this realm, and ſpecially within the ports of* Fowey, Plymouth, Dartmouth, *and* Pool, *by colour of their offices daily do wrongfully take, by conſtraint of diſtreſſes and arreſts upon the ſhips, barges, balengers, and other veſſels, goods, and merchandiſes of the King's liege merchants of this ſaid realm, and among all other upon the King's liege merchants of* Gaſcony, Guyen, Ireland, Guernſey *and* Jerſey, *in their coming and going in the ſaid ports, great charges and impoſitions, that is to ſay, for every piece of creſcloth* iv. d. *for every hundred of canvas* vi. d. *for the weight of every tun of iron* xii. d. *and ſometime more, and likewiſe of all other goods and merchants of the ſaid liege people, and other merchandiſes of the King's amity*; (2) *and by ſuch wrongful diſtreſſes, arreſts, charges, and impoſitions, they do diſcourage the ſaid merchants freely to come into this ſaid realm, and to return, contrary to all law and conſcience, to the great prejudice of our ſaid lord the King, in loſs of his cuſtoms and ſubſidies, and to the great damage of the ſaid merchants and their ſucceſſors, unleſs due remedy thereof be had in the ſame*; (3) by advice, aſſent, and authority aforeſaid, it is ordained and eſtabliſhed, That the ſaid merchants, and their ſucceſſors, and every of them, of all ſuch injuries, diſtreſſes, arreſts, charges,

The remedy when an officer of the cuſtoms doth make any diſtreſſes or arreſt upon any ſhips for an unlawful cauſe.

ITEM come diverſes baillifs de leaues ſercheours countroullours du ſerche & autres leur deputees & ſervauntz dedeins les portes de ceſt roialme & en eſpeciall dedeins les portes de Fowey Plymmouth Dertmouth & Pole par colour de leur offices torceouſment chargeont & priegnont ore de jour en autre par dureſſe de deſtreſſes & areſtes ſur les niefs barges ballengers & autres veſſeaulx biens & merchaundiſes des lieges du Roy merchauntz de ceſt dit roialme et entre toutz autres ſur les lieges du dit Roy marchauntz de Gaſcoigne Guyan Irland Gerneſey & Gerſey en lour venaunt & alant en les ditz portz graundz chargez & impoſitions ceſtaſſavoir pur cheſcun pece de crececloth iiij. d. pur cheſcun centz de canvas vj. d. pur pois de cheſcun tonell de ferre xij. d. & aſcune foitz pluis & ſemblablement de toutz autres biens & merchaundiſes de les ditz lieges & dautres merchauntz damitee noſtre dit ſoveraigne ſeignurle Roy et partielx enjurioſez deſtreſſez arreſtes charges & impoſitions empechent les ditz merchauntz franchement a venir en ceſt dit roialme et a paſſer encountre toutz leyes & conſcience outre toutz cuſtumes & ſubſidies duez a noſtre dit ſeignour le Roy en anientiſment des ſes ditz cuſtumes & ſubſidies & en grand damage & arreriſment de les ditz merchauntz & lour ſucceſſours ſinon du remedie ent ne ſoit eue par

par advis aſſent & auctorite deſſuiſditz ordeignez eſt & eſtabliez qe les ditz merchauntz lour ſucceſſours & cheſcun deux de toutz tiels enjuriez deſtreſſes areſtes chargez & impoſitions deſuis recitez affaires a eux ou a aſcun deux ſibien par tielx baillifs del eaus ſercheours & countrollours de ſerche come par collectours des ditz cuſtumes & ſubſidies countrollours de les meſmes ſurveiours des cuſtumes & ſubſidies & du ſerche pakkers ou aſcuns autres officers lour deputees ou ſervauntz par lour commaundment ou aſcun deux enapres peuſſent avoir ſur ceo generall bref de treſpas encountre tielx meffaiſours & cheſcun deux ſolonc la fourme de ley & a recouverer encountre ceux & cheſcun deux enſi de ceo convictz xl. li' & qe lez ditz merchauntz lour ſucceſſours & cheſcun deux enſi grevez come devaunt eſt dit purſueront & purſuera le dit brief de treſpas encountre les ditz meffaiſours & cheſcun deux de tielx enjuries diſtreſſes areſtes charges & impoſitions ainſi affairez come devaunt eſt dit dedeins deux mois proſchein apres tielx enjuries deſtreſſes areſtes charges & impoſitions affaires par eux ou aſcun deux come devaunt eſt dit et en cas les ditz merchauntz lour ſucceſſours ou aſcun deux ne purſuent mie le dit brief de treſpas de tielx enjuries deſtreſſes areſtes charges & impoſitions deſſuiſditz encountre les ditz meffaiſours ne null deux dedeins les ditz deux mois qe lors il lirra a cheſcun autre perſone de les lieges du Roy a purſuer le dit brief de treſpas de tielx enjuries diſtreſſes areſtes charges &

ges, and impoſitions afore recited, to be made to them, or any of them, as well by ſuch waterbailiffs, ſearchers, and comptrollers of the ſearch, as by collectors of the ſaid cuſtoms and ſubſidies, comptrollers of the ſame, ſurveyors of the cuſtoms and ſubſidies, and of the ſearch-packers, or any other officers, or their deputies or ſervants by their commandment, or any of them hereafter, may have thereupon a general writ of treſpaſs againſt ſuch offenders, and every of them, according to the form of the law, and to recover againſt them, and every of them thereof ſo convicted, forty pounds; (4) and that the ſaid merchants, their ſucceſſors, and every of them ſo grieved as afore is ſaid, ſhall purſue the ſaid writ of treſpaſs againſt the ſaid offenders, and every of them for ſuch injuries, diſtreſſes, arreſts, charges, and impoſitions ſo to be made as afore is ſaid, within two months next after ſuch injuries, diſtreſſes, arreſts, charges and impoſitions to be made by them, or any of them, as before is ſaid; (5) and in caſe that the ſaid merchants, their ſucceſſors, or ſome of them, do not purſue the ſaid writ of treſpaſs of ſuch injuries, diſtreſſes, arreſts, charges, and impoſitions aforeſaid againſt the ſaid offenders, nor any of them, within the ſaid two months, that then it ſhall be lawful to every other perſon of the King's liege people to purſue the ſaid writ of treſpaſs of ſuch injuries, diſtreſſes, arreſts, charges, and impoſitions, to be made as is aforeſaid, againſt all ſuch offenders, and every of them, according to the form of the law, and

3 Ed. 1. c. 26.

and to recover againſt them, and every of them thereof ſo convict, forty pounds, the King to have the one half, and he or they which will purſue, the other half.

& impoſitions affaires come devaunt eſt dit encountre toutz tielx meffaiſours & cheſcun deux ſolonc la fourme de ley & a recoverer encountre ceux & cheſcun de ceux enſi dent convictz xl. li.' le Roy davoir purſuer vorroiet ou vorroient ent lune moitee & il ou ilz qi lautre moite.

Statutes made at *Weſtminſter*, *Anno* 29 HEN. VI. and *Anno Dom.* 1450.

OUR *ſovereign lord King* Henry *the Sixth after the conqueſt, at his parliament holden at* Weſtminſter *in the feaſt of St.* Leonard, *the nine and twentieth year of his reign, by the advice and aſſent of the lords ſpiritual and temporal, and at the requeſt of the commons in the ſame parliament aſſembled, and by the authority of the ſame, hath ordained and ſtabliſhed divers ordinances and ſtatutes in the form which followeth.*

NOSTRE ſoveraigne ſeignur le Roy *Henry* puis le conqueſte ſiſme a ſon parlement tenuz a Weſtm' en le feſt de Seint Leonard lan de ſon reigne vint noveſme del advis & aſſent des ſeignurs eſpirituelx & temporelx & a la requeſt des communes en meſme le parlement aſſemblez & par laucto-rite dicell ad ordeignez & eſtabliez diverſes ordenaunces & eſtatutz en la fourme qe enſeute.

CAP. I.

John Cade *attainted of treaſon, and his lands, tenements,* &c. *given to the King, and his blood corrupt.*

Ex edit. Raſt.

FIRST, Whereas the falſe traitor *John Cade*, naming himſelf *John Mortimer*, late named captain of *Kent*, the vii. day of *July*, the xxviii year of the reign of our ſaid ſovereign lord the King at *Southwark* in the county of *Surry*, and the ix. day of *July*, the aforeſaid year of the reign of our ſaid ſovereign lord the King at *Deptford* and *Rocheſter* in the county of *Kent*, alſo at the town of *Rocheſter* aforeſaid, and elſewhere, the x. and xi. day of *July* then next enſuing within the realm of *England*, falſely and traitorouſly imagined the King's death, deſtruction and ſubverſion of this realm, in gathering and levying a great number of the King's people, and them exciting to make inſurrection againſt the King falſely and traitorouſly in the places aforeſaid, at the times before recited, againſt the King's royalty, crown, and his dignity, and there and then made and levied war falſely and traitorouſly againſt the King and his highneſs: and though he be dead and miſchieved, yet by the law of the land not puniſhed: our ſaid ſovereign lord the King conſidering the premiſſes, to put ſuch traitors

traitors in fear in time coming, and for ſaving of himſelf and of his realm, by advice of the lords ſpiritual and temporal in the ſaid parliament aſſembled, and at the requeſt of his commons, hath ordained by the authority of the ſaid parliament, That he ſhall be of theſe treaſons attainted, and that by the ſame authority he ſhall forfeit to the King all his goods, lands, and tenements, rents, and poſſeſſions, which he had the ſaid eight day of *July*, or after, and his blood corrupt and diſabled for ever, and to be called a falſe traitor within the ſaid realm for ever.

CAP. II.

A confirmation of the ſtatute of 2 Hen. V. ſtat. 1. c. 6. *ordained againſt them which break truces and ſafe conducts, and appointing conſervators of the ſame.*

Truce. Safeconducts.

ITEM, It is ordained and ſtabliſhed, That the ſtatute made the ſecond year of the ſaid late victorious and noble King *Henry*, father to our ſovereign lord the King that now is, of the breakers of truce and ſafe conducts upon the main ſea and other places, ſhall be in his force and confirmed. Joining to the ſame, that the chancellor of *England* for the time being, calling to him one of the chief juſtices of the one bench or of the other, ſhall have like power as the conſervators and other commiſſioners in the ſame ſtatute ſpecified have: ſaving, where it is contained in the ſame ſtatute, that if he or they, upon whom complaints ſhall be made, do not appear of a certain time, as is there contained, that then a *Capias* and *exigend* ſhall be awarded againſt him or them, upon whom ſuch complaint is made, as well to the ſheriff of the county, of the which they be ſuppoſed to be, as to the ſheriff of the ſaid county, where the ſaid complaint ſhall be made: it is ordained in this preſent parliament, That he ſhall award a writ of *Capias* to the ſheriff of every of the ſaid counties, commanding him upon pain of a hundred pounds to make open proclamation in the five counties continually, that the party or parties, upon whom he hath complained ſhall appear at a certain day contained in the ſame writ, before the ſaid chancellor, if the complaint of the premiſſes be made before him after the form contained in the ſaid ſtatute. And if they appear not at the ſame day, that then they ſhall be attainted and convict to the party ſo complaining of the offences in the ſaid complaint ſpecified. And that the ſaid party complainant ſhall be preferred to have execution before any ſeiſin had for the King in this behalf, notwithſtanding that they ſo making default be attainted of treaſon. And it is ordained, that no perſon, which appeareth upon any ſuch complaint or writ to be awarded, ſhall incur the pain againſt our ſovereign lord the King of treaſon contained in the ſaid ſtatute. Provided alſo, if any perſon, againſt whom ſuch writ or proclamation ſhall be awarded, be out of this realm by feat of merchandiſe, or in the King's ſervice by his commandment, at the time of the firſt proclamation made upon ſuch writs, that then the ſame perſon ſhall not be indamaged by this act, ſo that he appear perſonally before the King in his chancery within

Sheriff.

within a month next after his coming into this realm, to anſwer to ſuch complaints. Provided alſo, That no owner, victualer, nor ſetter forth of any ſhip or veſſel, which ſhall not be party to any ſuch offence, nor procurer, counſellor, nor abettor to the doing thereof, nor knowing nor willingly receiving nor taking any part of the goods ſo robbed or ſpoiled upon the ſea, ſhall be indamaged by this act. And that this ordinance ſhall begin and ſhall be in his force the firſt day of this preſent parliament and not before, and ſhall endure by five years next enſuing. And that no charter of pardon hereafter to be granted ſhall be allowable to any perſon or perſons for any offences done contrary to the ſaid ſtatute.

CAP. III.

All letters patents granted to the citizens of York *to exempt them from certain offices, ſhall be void. The penalty of a citizen who ſhall purchaſe ſuch exemption.*

York. ITEM, Whereas great inconveniencies and damages have come now of late in the city of *York*, and more in time to come be like to happen, if proviſion thereof be not had: for that divers and certain perſons, citizens of the ſaid city, have purchaſed and gotten of our ſovereign lord the King ſeveral letters patents, thereby to be exempted of the offices and occupations of mayoralty, ſheriff, chamberlain, collector of diſmes and quinziſmes, and citizen of the ſaid city to come to the parliaments of our ſovereign lord the King and his heirs within the ſaid city: our ſaid ſovereign lord the King, conſidering the premiſſes by advice and aſſent aforeſaid, hath ordained and ſtabliſhed, That all ſuch letters patents granted or to be granted to any perſon or perſons, now citizens of the ſaid city, or which in time coming ſhall be made, ſhall be void, and of none effect. And moreover, That if any citizen of the ſaid city now being, or which in time coming ſhall be, do purchaſe, admit, take, or get any ſuch letters patents, thereby to be exempt of any of the offices or occupations aforeſaid, within the ſame city, ſhall forfeit forty pounds, the one half to our ſovereign lord the King, and the other half to the mayor and citizens of the ſaid city and their ſucceſſors. And that the mayor for the time being and his ſucceſſors may and might have and maintain an action of debt, to demand the ſaid forty pounds againſt every of the ſaid perſon or perſons, purchaſing, admitting, taking or getting ſuch letters patents of exemption, the one half of the ſaid forty pounds ſo recovered, to be to the uſe of our ſaid ſovereign lord the King and his heirs, and the other half of the ſaid forty pounds to be to the uſe of the mayor of the ſaid city for the time being, and of the citizens of the ſame city and their ſucceſſors. And that in ſuch actions of debt hereafter to be purſued, the parties defendants in no wiſe ſhall be admitted to their law.

Letters patents.

Statutes

Statutes made at *Reading*, *Anno* 31 HEN. VI. and *Anno Dom.* 1452.

AU parlement tenuz a Redyng le ſiſme jour de Marche lan du reigne noſtre ſeignur le Roy *Henry* vjme puis le conqueſt xxxjme meſme noſtre ſeignur le Roy del advis & aſſent des ſeignurs eſpirituelx & temporelx & lez communes eſteantz en le dit parlement & par auctorite de meſme le parlement fift ordeigner & eſtablier divers ordenaunces & eſtatutes en les maner & fourme enſuantez.

AT *the parliament holden at* Reading *the ſixth day of* March, *the one and thirtieth year of the reign of our lord King* Henry *the Sixth after the conqueſt, the ſame our lord the King, by the advice and aſſent of the lords ſpiritual and temporal, and the commons being in the ſaid parliament, and by authority of the ſame parliament, hath made, ordained, and ſtabliſhed divers acts and ſtatutes in the manner and form following.*

CAP. I.

John Cade *ſhall be adjudged a traitor, and all indictments and acts done by his authority ſhall be void.*

FIRST, Whereas the moſt abominable tyrant, horrible, odious, and errant falſe traitor *John Cade*, calling and naming himſelf ſometime *Mortimer*, ſometime captain of *Kent*, which name, fame, acts, and feats be to be removed out of the ſpeech and mind of every faithful chriſtian man perpetually: falſely, and traitorouſly purpoſing and imagining the perpetual deſtruction of the King's ſaid perſon, and final ſubverſion of this realm, taking upon him royal power, and gathering to him the King's people in great number by falſe ſubtil imagined language, and ſeditiouſly made a ſtirring, rebellion, and inſurrection under colour of juſtice for reformation of the laws of the ſaid King, robbing, ſlaying, and ſpoiling great part of his faithful people: our ſaid ſovereign lord the King, conſidering the premiſſes, with many other which were more odious to remember, by advice and aſſent of the lords aforeſaid, and at the requeſt of the ſaid commons, and by the authority aforeſaid, hath ordained and ſtabliſhed, That the ſaid *John Cade* ſhall be reputed, had, named, and declared a falſe traitor to our ſovereign lord the King, that all his tyranny, acts, feats, and falſe opinions ſhall be voided, abated, adnulled, deſtroyed, and put out of remembrance for ever. And that all the indictments, and all things depending thereof, had and made under the power of tyranny, ſhall be likewiſe void, adnulled, abated, repealed, and holden for none. And that the blood of none of them be thereof defiled nor corrupted, but by the authority of the ſaid parliament clearly declared for ever. And that all indictments in time coming, in like caſe under power of tyranny, rebellion, and ſtirring had, ſhall be of no record nor effect, but void in law. Ex edit. Raſt.

And all the petitions delivered to the ſaid King in his laſt parliament holden at *Weſtminſter* the ſixth day of *November*, the nine and twentieth year of his reign, againſt his mind by him not agreed, ſhall be taken and put in oblivion out of the remembrance undone, voided, adnulled, and deſtroyed for ever, as a thing purpoſed againſt God and conſcience, and againſt his royal eſtate and preeminence, and alſo diſhonourable and unreaſonable.

CAP. II.

The penalties for thoſe who ſhall diſobey the King's writs, &c. or not appear before his council when warned by proclamation.

4 Inſt. 82.
1 Mod. 61.

ITEM, Foraſmuch as the King our ſovereign lord before this time, upon certain ſuggeſtions and complaints made as well to him as to the lords of his council, upon divers perſons of this his realm, for great riots, extortions, oppreſſions, and grievous offence by them done againſt his peace and laws, to divers of his liege people, hath given in commandment, as well by his writs under his great ſeal, as by his letters of privy ſeal, to appear before him in his chancery, or before him and his council at certain days in the ſame writs or letters contained, to anſwer to the premiſſes: which commandments be, and many times have been diſobeyed, in contempt of the King our ſaid ſovereign lord, and to the great hindrance, damage, and delay of his ſaid complainants in this behalf: our ſaid ſovereign lord the

Privy ſeal.

King, conſidering the premiſſes, by the authority aforeſaid, hath ordained, enacted, and ſtabliſhed, That if any ſuch writ or letters of privy ſeal hereafter directed to any perſon to appear before him or his council (as afore is ſaid) there to anſwer to any of the premiſſes, and then the ſame perſon refuſe to receive ſuch

Chancellor of England.

writ or letters, or them deſpiſe, or abſent or withdraweth himſelf for this cauſe, and come not, and keep not the day of appearance given to him by the ſaid writ or letters of privy ſeal, and that duly certified and known to his council, that then the chancellor of *England*, for the time being, ſhall have power by the ſaid authority, to cauſe a writ or writs of proclamation to be directed to the ſheriff of the county, where the perſon ſo refuſing to receive ſuch writs or letters, or them deſpiſing, or abſenting or withdrawing him for this cauſe, is dwelling or con-

Sheriff.

verſant, or into the county next adjoining, and to the ſheriffs of *London* for the time being, giving to the ſaid ſheriffs ſeverally in commandment by himſelf, that they upon pain of forfeiture of two hundred pounds ſhall make open proclamation in the ſhire-town of the ſame county, and in the ſaid city, by three ſeveral days immediately after the ſaid writ or writs ſhall be to them delivered, that ſuch perſon, to whom ſuch writ or letters of privy ſeal ſhall be directed as afore is rehearſed, ſhall appear before the King's council, or before the chancellor of *England* for the time being, within a month next after the ſaid laſt day of proclamation:

clamation: and ſhall return the ſaid writ or writs of proclamation before the King in his chancery within ſeven days after the ſaid third day of proclamation, upon the ſaid pain of two hundred pounds. And if he make default, and do not appear within the ſaid month, the ſaid writ or writs duly proclaimed in the ſaid ſhire-town and city, and the King's council truly certified of the ſaid proclamation in ſuch form executed, that then if ſuch perſon be of the ſtate of a lord, as a duke, marquis, earl, viſcount, or baron, he ſhall loſe and forfeit all offices, fees, annuities, and other poſſeſſions that he or any man to his uſe hath of the gift or grant of the King, or of any of his progenitors made to him or any of his anceſtors. And that then the ſaid chancellor for the time being, ſhall do to be made another writ or writs of proclamation, to be directed to the ſaid ſheriffs of the ſaid counties and city for the time being, to make open proclamation and return of the ſame writ or writs, upon the ſame pain as afore is ſpecified and ordained upon the ſaid firſt writ of proclamation. And if he make default, and do not appear at the day to him limited by the ſaid laſt writ or writs of proclamation, that then he ſhall loſe and forfeit his eſtate and name of lord, and his place in the parliament. Provided, That the ſaid forfeiture of offices, fees, annuities, and other poſſeſſions, and alſo of the ſaid eſtate and name of lord and place, ſhall extend but only for term of life of him or of them, which by the authority of this act ſhall forfeit the ſaid offices, fees, annuities, poſſeſſions, ſtate, name, and place, or any of them, in the form aforeſaid. And if any lord of the ſaid eſtates of a duke, marquis, earl, viſcount, or baron, having nothing of the King's grant nor of his progenitors, do diſobey (as afore) after the ſaid proclamation in manner and form aforeſaid, made, returned and certified: then he ſhall forfeit for term of his life to the King his name and eſtate of lord and place in the parliament, and alſo all the lands and tenements which he hath or any other to his uſe hath. And that every other perſon under the ſtate of a lord, having livelyhood, or to whoſe uſe any other perſon or perſons have any livelyhood, if he appear not within the month after the proclamation made by virtue of the firſt writ or writs, he ſhall make a fine after the diſcretion of the two chief juſtices of his bench, and of his common bench for the time being. And that every other perſon, having no livelyhood, nor none other perſon to his uſe, ſo making default, ſhall be put out of the King's protection. Provided always, That if any of the King's liege people, named in the ſaid writs or letters, be not within this his realm at the time of any of the ſaid writs delivered and returned, nor abſent him within the ſaid realm, and alſo if the perſon or perſons againſt whom ſuch writs of proclamation hereafter ſhall be awarded, be ſo grievouſly vexed or troubled by infirmity of ſickneſs, or otherwiſe, ſuch perſons be impriſoned without fraud or male engine, or that they be ſo feeble for age, that they may not labour in their proper perſons, ſo that ſuch dwelling out of the realm, feebleneſs, or ſickneſs, impriſonment, and debility of

age be sufficiently and duly proved by just and indifferent examination before the lords of the King's council, they shall not be endamaged by this act. Provided also, That no matter determinable by the law of this realm, shall be by the same act determined in other form than after the course of the same law in the King's courts having determination of the same law. This act to begin and take effect the first day of *May*, the two and thirtieth year of the reign of the said King, of all disobeisances to be made after the same first day, and of no disobeisances before this day made, and to endure for term of seven years: and that this present act shall be proclaimed by the sheriff of every county of his land in every market town within the same county, before the feast of the nativity of Saint *John Baptist* in the said two and thirtieth year.

CAP. III.

Attachments in the east and west marches shall be made in Cumberland, Westmerland, Northumberland, *and the town of* Newcastle *only.*

Attachment. Warden courts.

ITEM, Forasmuch as the wardens of the marches adjoining to *Scotland*, called the East-march and the West-march, have used by their ministers to make attachments, and to attach men by their bodies in the counties of *Northumberland*, *Cumberland*, and *Westmerland*, and in the town of *Newcastle* upon *Tine*, and in none other places, to answer to indictments taken in the courts called warden courts of the said marches, for attempts supposed to be done against the virtue of the truce within the said counties and town: and now of late the ministers and officers of the said courts, sometime for the singular lucre, and sometime for malice that they have borne to certain persons, have attached and taken upon them daily to attach divers persons well governed by their bodies, as well in the county of *York* as in other places out of any of the said counties of *Northumberland*, *Cumberland*, or *Westmerland*, or the town of *Newcastle:* our said sovereign lord the King, considering the premisses, by the authority aforesaid hath ordained and stablished, That if any minister of any of the said courts attach any person by his body or by his goods, out of any of the said counties of *Northumberland*, *Cumberland*, and *Westmerland*, or the town of *Newcastle*, to answer in any of the said courts, or by colour or cause of any manner of presentment taken or to be taken in any of the said courts, that it shall be lawful to every person, which shall happen so to be attached, to make resistance, and not to obey any such attachment. And if any person be endamaged or grieved by any such attachment, he shall have in this behalf an action of trespass or false imprisonment against them which shall make or do to be made hereafter any such attachment, and in the same to recover treble damages, if in any of the actions the matter pleaded pass or be judged for the plaintiff in the same. And the defendant to have two years imprisonment, and moreover to

to pay to the King a hundred ſhillings. And that the juſtices of peace in their ſeſſions of the peace, ſheriffs in their turns, and alſo ſtewards of leets in their leets, by them to be holden, ſhall have power to enquire of all ſuch attachments made or to be made out of the ſaid counties of *Weſtmerland*, *Cumberland*, or *Northumberland*, or the town of *Newcaſtle*, and therein and upon the ſame to do and proceed as they may do and proceed upon preſentments taken before them in their ſeſſions of peace, turns, or leets, of treſpaſs or of frays made againſt the King's peace.

Repealed by 4 Jac. 1. c. 1

CAP. IV.

The remedy for him who having a ſafe conduct is robbed upon the ſea.

ITEM noſtre dit ſoverayne ſeignur le Roy par auctorite deſuiſdit ad ordeigne & eſtablie qe ſi aſcun de ſez ſubgiettz attempt ou offende ſur le meer ou en aſcun port dedeins le dit roialme ſoubz lobeiſaunce du Roy encountre aſcun perſone ou perſones eſtranges eſteantz ſur le meer ou en aſcun port deſuiſdit per voye damyte liege ou treues ou par force du ſauf-conduyt ou ſaufgarde du Roy en aſcun manere & en eſpeciall en attachant daſcun tiel eſtraunge perſone robbant ou deſpoillant de luy de nief ou aſcuns autres maners des biens ou encountre aſcun autre perſone de ſon liege poeple le chaunceller dEngleterre pur le temps eſteant come pur la deliveraunce daſcune tiel perſone iſſint attache deſtre ewe et come pur reſtitution affaire a cheſcun tiel perſone enſi robbe ou diſpoile de nief ou biens ou de la value ent eit auctorite appellant a luy aſcun des juſtices de lune ou de lautre bank ſur bille ou billes du compleint fait a luy en ceſt partie pur faire autiell proceſſe hors de la dit chauncellarie ſibien encountre toutz tielx offendours a les amener en la chauncerie du Roy illeoqes a reſpoundre as parties iſſint greveez en ceſt partie come encountre

ITEM our ſovereign lord the King, by authority aforeſaid hath ordained and eſtabliſhed, That if any of his ſubjects attempt or offend upon the ſea, or in any port within the ſaid realm, under the King's obeiſance, againſt any perſon or perſons ſtrangers, being upon the ſea, or any other port aforeſaid by way of amity, league, or truce, or by force of the King's ſafe conduct or ſafeguard in any wiſe, and eſpecially in attaching of any ſuch ſtrange perſon, robbing or ſpoiling of him, his ſhip, or any other manner of goods, or againſt any other perſon of his liege people; the chancellor of *England* for the time being (as well for the deliverance of any ſuch perſon ſo attached to be had, as to make reſtitution to every ſuch perſon ſo robbed or ſpoiled of ſhip or goods, or of the value thereof) ſhall have authority, calling to him any of the juſtices of the one bench or of the other, upon a bill or bills of complaint to him made in this behalf, to make ſuch proceſs out of the ſaid chancery, as well againſt all ſuch offenders, to bring them into the King's chancery, there to anſwer to the parties ſo grieved in this behalf, as againſt any other

3 Bulſtr. 28. By what means he ſhall have remedy, who having the King's ſafe conduct, is robbed upon the ſea by any of the King's ſubjects.

other perſon or perſons to whoſe hands any ſuch perſon ſo attached, ſhip or goods ſhall come, as for the delivery and reſtitution by them to be made of the ſame perſon, ſhip, and goods, as ſhall ſeem to the ſame chancellor moſt expedient and neceſſary. (2) And upon this proceſs ſo made out of the ſaid chancery, the ſaid chancellor further to proceed in this matter, if the caſe do ſo require, by advice of any ſuch juſtice, to make the perſon and perſons ſtrangers ſo grieved to have full delivery and reſtitution of any ſuch perſon ſo attached, and of all ſuch ſhips and goods, and alſo of all their coſts, expences, and loſſes diſburſed and ſuffered by them in this behalf, and thereupon to award all manner of execution out of the ſaid chancery, in ſuch ſort as ſhall ſeem to the ſaid chancellor moſt expedient and neceſſary for ſuch delivery and reſtitution to be had, calling to him any ſuch juſtice as afore is ſaid. This act to begin and take effect the firſt day of *May*, the two and thirtieth year of the ſaid King.

14 Ed. 4. c. 4.

countre aſcun autre perſone ou perſones as quelx mains aſcun tiel perſone iſſint attache nief ou biens ſerra ou ſerrount venuz come pur deliveraunce & reſtitution par eux affaires de meſmez les perſone nief & biens come ſemblera a meſme le chaunceller pluis expedient & neceſſarie. Et ſur telle proceſſe enſi fait hors de la dit chauncellarie le dit chaunceller plus avant a proceder en cell matier ſi le caſe enſi requiert par advis daſcun tiel juſtice de faire la perſone & perſones eſtranges iſſint greves davoir pleyn deliveraunce & reſtitution daſcun tiel perſone enſi attache et de toutz tielx niefs et biens et auſſi de toutz leurs coſtes expenſes & deperdes faitz & ſuffrez par eux en ceſt partie et tout maner dexecution ſur ceo de faire hors de la dit chauncerie en tiel fourme come ſemblera au dit chaunceller plus expedient & neceſſarie pur tiel deliveraunce & reſtitution deſtre euez appellant a luy aſcun tiel juſtice come devant eſt dit. Ceſt acte a commencer & prendre effect le primer jour de Maij lan du dit Roy xxxij.

CAP. V.

No cuſtomer, comptroller, &c. ſhall have any eſtate certain in his office.

37 R. 2. c. 5.

* *Tronour.*

4 H. 4. c. 24.

ITEM, *Whereas it was ordained by a ſtatute made in the time of King* Richard *the Second, That no ſearcher, gauger of wines, aulneger, finder* *, *weigher, collector of cuſtoms and ſubſidies, or comptroller, ſhall have eſtate in his office for term of life, or for term of years, but that the ſaid offices ſhall remain under the government of the treaſurer of* England *for the time being;*

ITEM qe come eſtoit ordeigne par leſtatute fait en le temps du Roy *Richard* ſecund qe null ſercheour gaugeour vel vyne aulnour tronour poiſour collectour des cuſtumes & ſubſidies ou countrollour averoit eſtate en ſon office pur terme de vie ou terme des ans mes qe les ditz officez demurroient deſoubz la governaunce du treſorer dEngleterre pur le temps

temps esteant auxi estoit ordeigne par lestatut fait en temps du Roy *Henry* le quart qe launage de draps deins ceſt roialme poet estre commis a ferme ou en approvement solonc ladvys du treſorer dEngleterre pur le temps esteant come en les ditz estatutez plus plainement ſoit declare unqore ceo nient obstant diverſez perſones ont opteignez lettres patentes du Roy des ditz offices & aulnage aſcuns pur terme de vie & aſcuns pur terme des ans au graunde prejudice du Roy & du people & encountre lez ditz estatutez. Noſtre dit ſeignur le Roy conſiderant les premiſſes ad ordeigne par auctorite deſuiſdit qe toutz lettres patentes faitz daſcun des ditz offices ou aunage al aſcun perſone encountre leffectes de les ditz estatutez ſoient voides & de null force. Et qe nullz lettres patentes daſcun des ditz offices ou aunage ſoient faitz en apres mes par garrant de bille enſeale par le treſorer dEngleterre pur le temps esteant envoiez par luy en la chauncellarie come il ad este accuſtume devaunt ceſt temps.

Et qe toutz lettres patentes faitz ou affaires en apres des ditz offices ou aulnage par autre garraunt qe par bille du treſorer ſoient voidez & de null effect. Purveu toutz foitz qe ceſt acte nextende pas ne ſoit prejudiciall ne damageous a noſtre ſoverayn dame la Roigne le prince le duc de Buk' as enheriters de *Henry* jades duc de Warr' ne as maire & comminalte de Loundres ne as les maire baillifs & comminalte de cite de Wyncheſtre come a aſcune graunte ou grauntes dimiſe ou dimiſes del aulnage ou aſcun graunte

being; (2) *and where it was ordained by the ſtatute made in the time of King* Henry *the Fourth, That the aulnage of cloths within this realm may be committed to ferm, or in approvement, according to the direction of the treaſurer of* England *for the time being, as in the ſaid ſtatutes more fully is declared*; (3) *yet that notwithſtanding divers perſons have obtained the King's letters patents of the ſaid offices and aulnage, ſome for term of life, and ſome for term of years, to the great prejudice of the King, and of his people, and contrary to the ſaid ſtatutes:* (4) Our ſaid lord the King conſidering the premiſſes, hath ordained by the authority aforeſaid, That all letters patents made of any of the ſaid offices or aulnage to any perſon, againſt the effect of the ſaid ſtatutes, ſhall be void, and of no force; (5) and that no letters patents of any of the ſaid offices, or aulnage, ſhall be made hereafter, but by warrant of bill ſealed by the treaſurer of *England* for the time being, ſent by him into the chancery, as it hath been accuſtomed before this time.

Dyer, 303. Hob. 214.

II. And that all letters patents made, or to be made hereafter, of the ſaid offices or aulnage, by other warrant than by bill of the treaſurer, ſhall be void, and of no effect. (2) Provided always, That this act ſhall not extend, nor be prejudicial nor hurtful to our ſovereign lady the Queen, the prince, the duke of *Buckingham*, to the inheriters of *Henry* late duke of *Warwick*, nor to the mayor and commonalty of *London*, nor to the mayor, bailiffs, and commonalty of the city of *Wincheſter*, as to any grant

4 Inſt. 112. No cuſtomer, comptroller. aulneger, ſearcher, &c. ſhall have any eſtate or certainty in his office.

grant or grants, demiſe or demiſes of the aulnage, or any grant or grants of any ſum or ſums of money of the ferm of the aulnage, to them granted, made, or confirmed, nor to any comptroller having any offices out of the King's ports, nor to *John Penycok* eſquire, nor to *Gyles Seinclo* eſquire, nor to any of the King's or Queen's houſhold ſervants, of any grant or grants of any office or offices to them made before this time, with the fees and wages of old time due and accuſtomed.

graunte ou grauntes daſcun ſomme ou ſommes de money del ferme del aulnage a ceux grauntez faitz ou confermez ne a null countroller eiant aſcunes offices hors du portes du Roy ne a Johan Penycok eſquier a Gyles Seinclo eſquier ne a aſcun des meniall ſervauntes du Roy ne ſervauntcz du Roigne daſcun graunte ou grauntes daſcun office ou offices fait a ceux devaunt ceſt temps ove les fees & gages de launcien temps duez & accuſtumez.

14 R. 2. c. 10.
17 R. 2. c. 5.
1 H. 4. c. 13.

CAP. VI.

The ſtatute of 20 Hen. VI. c. 2. *touching the forfeiture of them which be outlawed in the county of* Lancaſter, *made perpetual.*

Ex edit. Raſt. ITEM, Whereas at the parliament holden at *Weſtminſter* the twentieth year of the King that now is, it was ordained by authority of the ſame parliament, That no perſon of the King's liege people, againſt whom any *Exigend* ſhall be awarded or outlawry pronounced at the King's ſuit, or at the ſuit of the party

Outlawry. in time to come in the county of *Lancaſter*, ſhall forfeit any of his goods or chattels, lands or tenements in any other county, but all only the goods or chattels, lands and tenements, which the perſons ſo outlawed, or they againſt whom ſuch *Exigend* ſhall

County of Lancaſter. be awarded in the ſaid county of *Lancaſter*, have in the ſame county. And by reaſon of any ſuch outlawry at the King's ſuit, or at the ſuit of any other perſon pronounced within the ſaid county of *Lancaſter*, he ſhall not be forebarred nor diſabled of any manner of action, nor to claim any manner of inheritance out of the ſame county, nor diſabled to purſue any manner of action out of the ſame county, notwithſtanding ſuch outlawry againſt him pronounced, as in the ſaid ſtatute more fully appeareth: which ſtatute is now expired, becauſe it was ordained to endure but for ſeven years then next enſuing, which ſtatute was profitable and neceſſary to the King's liege people: our ſaid ſovereign lord the King, conſidering the premiſſes, by advice and aſſent of the lords ſpiritual and temporal in the ſaid parliament aſſembled, and at the requeſt of the ſaid commons, and by the authority of the ſame parliament, hath ordained and eſtabliſhed, That the ſaid late ſtatute ſhall be in his force and virtue, taking

Repealed by 33 H. 6. c. 2. effect and force at the laſt day of *March*, the thirtieth year of his reign and from that day to endure for ever.

CAP.

CAP. VII.

Fees, wages, and rewards due to the King's officers, shall not be comprised within the statute of resumption made in the eight and twentieth year of the King's reign.

Resumption. ITEM, Whereas in the parliament holden at *Westminster* the sixth day of *November*, the xxviij. year of the reign of our sovereign lord the King, in the act of resumption, among other things it was ordained and established, by the authority of the same parliament, That it pleaseth him to take, resume, seise, and retain in his hands and possession all honours, castles, seigniories, towns, villages, manors, lands, tenements, rents, reversions, wastes, fees, feeferms and services, with all their appurtenances in *England*, *Wales*, and in the marches of the same, *Ireland*, *Guyen*, *Calais*, and the marches of the same, which the said King had granted by his letters patents, or in any other manner since the first day of his reign: and that all manner of grants of rents charges or annuities made by him of the estate of inheritance for term of life or for term of years to any person or persons, to be taken of any of the premisses, or of his customs or subsidies or aulnage, or of the hamper, or to or in his receipt, or otherwise or in any other place or any of them, or of the profits coming of them or any of them, within his realm of *England*, *Ireland*, or *Wales*, *Guyen*, *Calais*, and in the marches of the same, shall be void and of none effect as in the said act of resumption more fully is declared. And forasmuch as doubt and ambiguity is had, what fees, rewards, wages, profits, and other things, belonging and of old time pertaining to these offices in the times of his noble progenitors, shall be resumed, retained, in the King's hands or void by virtue of the said act or not: for a certain and full declaration thereof, our sovereign lord the King, at the request of his said commons, by the authority aforesaid, hath ordained, That the said act and ordinance of resumption shall not be prejudicial to any of his officers, of any fees, wages, rewards, or profits due or pertaining to such officers as were the first day of his reign or before, because of such offices or occupations. And that the said fees, wages, rewards, and profits, shall not be comprised within the said act of resumption at the time of the making of the same act, nor after, nor within any other act or ordinance made in his said parliament: but that all such wages, fees, rewards and profits shall be and remain to all and every such offices and occupation, as they were the first day of his reign or before, any act of resumption, statute, ordinance or provision, or any other act made to the contrary, or any doubt or ambiguity in the same contained notwithstanding.

CAP.

CAP. VIII.

A confirmation of a ſubſidy of wool, woolfels, and cloth tranſported, granted by a ſtatute ordained 31 Hen. VI. *not printed.*

Poundage. ITEM, Whereas in the ſaid parliament commenced at *Reading* the ſixth day of *March*, the xxxj. year of the ſaid King, and adjourned to *Weſtminſter* till the xiiij. day of *February*, a ſubſidy called poundage, was granted to the ſaid King, that is to ſay, of all manner of merchandiſe of every merchant denizen and alien, as well of merchants of *Hanſe* and *Almaine*, as of any other merchant alien, carried out of this realm, or brought into the ſame by way of merchandiſe, of the value of every xx s. xii d. to have to him at the third day of *April* next coming for term of his life natural, with a certain exception in the ſame grant ſpecified, by force of which act the King's ſubjects merchants denizens of this realm, ſhall be chargeable to pay to the King xii d. of the value of xx s. of all their woolen cloths paſſing out of the ſame, after the ſaid third day of *April*, which ſhall be to them very great importable charge, and impoveriſhment of a great part of the poor people of this realm, and peradventure cauſe of reſtraint and impediment of utterance of all manner of woolen cloths made within the ſame: which ſhall cauſe by proceſs of time few cloths to be made in the ſaid realm: and thereupon great idleneſs amongſt his poor liege people, and a mean of deſtruction of his navy, and ſhall cauſe the wools to be of leſs value, to the great deſtruction of the growers of the ſame. And moreover in the ſaid parliament, the ſaid vj. day of *March*, a certain ſubſidy of wools and woolfels was granted to the King, that is to ſay, of every merchant denizen for the ſubſidy of every ſack of wool xliij. s. iiij. d. and of every CC. xl. woolfels xliij. s. iiij. d. to have to him for term of his life natural, at the third day of *April*, as in the act of the grant thereof made in the ſame parliament more fully appeareth: wherefore the poor ſubjects merchants of the ſtaple of *Calais*, ſhall be compelled after the ſaid third day of *April*, to pay to the King of every ſack of wool and of every CC. xl. woolfels x. s. more by way of ſubſidy than they have been accuſtomed to pay in any days of the reign of the ſaid King: which charge being to them importable, is likely to be the cauſe that they ſhall not be of power to buy or ſhip any great quantity of wools of this realm, to be had to the ſaid ſtaple, whereof ſhall enſue very exceſſive diminution and decreaſe of the price and value of wools and woolfels of this realm, and of the great annual revenues of the cuſtoms and ſubſidies, which ſhould grow to the King of the ſhipping of ſuch wools and woolfels, and to the abating of the payment of wages of the ſoldiers intending upon the ſafeguard of the town and marches of *Calais*, and alſo the poor growers of wools of this realm greatly impoveriſhed. Our ſaid ſovereign lord the King will by the authority aforeſaid, That every merchant denizen, his liege man born

born within this his realm, which ſhall ſhip or carry any wools or woolfels to the ſtaple of *Calais*, or by the ſtreights of *Marrock*, by the King's licence for ſuch wools and woolfels ſo ſhipped and carried to the ſaid ſtaple, or by the ſaid ſtreights, ſhall be quit and diſcharged of the ſaid x. s. parcel of the ſaid ſubſidy of xl. iij. s. iiij. d. granted to the King in this ſaid parliament of every ſack of wool, and of every CC. xl. woolfels at the ſaid third day of *April*, ſpecified in the ſaid grant, by the ſpace of five years then next enſuing. And alſo that every merchant denizen ſhall be quit and not chargeable, by virtue of the ſaid grant of ſubſidy of xii. d. of the value of every xx s. of all manner of woolen cloths, by them or any of them to be had out of this realm, to any parts beyond the ſea, at the ſaid third day, by the ſpace of three years then next enſuing. Staple of Calais.

CAP. IX.

A remedy for a woman inforced to be bound by ſtatute or obligation.

ITEM qe come en touz parties de ceſt roialme dyvers gens de poair moevez de inſatiable covetyſe encountre tout droit gentilnes verite & bone conſcience ont labores & trovez novelx inventions & eux aſſeduouſment executes a lendaungeraunce trouble & mavailx traiter de toutz damez gentilx femmes & autres femmes eſteantz ſoulz eiantz aſcune ſubſtaunce des terres tenementes ou autres moebles biens deins ceſt dit reame entendauntz la graunte innocencie & ſimples de eux voillent prendre ceux par force ou autrement veinent a eux reſemblauntez eſtre lour treſgraundez amis promettantz eux leur foiall amite et iſſint par graunde diſſimilation ou autrement gaignent eux en lour poſſeſſion conveiauntz eux en autielx lieux ou lez ditz meffeiſours ſount de pluis poiar et qant aſcuns femmes par tielx moiens ou par aſcune autre moien ſont en leur governaunce la dit mavailx diſpoſe perſone ou perſones ne voillent ſuffrer eux daler

ITEM, *Whereas in all parts of this realm divers people of great power, moved with unſatiable covetouſneſs, againſt all right, humanity, integrity, and good conſcience, have ſought and found new inventions, and them continually do execute, to the danger, trouble, and great abuſing of all ladies, gentlewomen, and other women ſole, having any ſubſtance of lands, tenements, or other moveable goods within this realm, perceiving their great weakneſs and ſimplicity, will take them by force, or otherwiſe come to them, ſeeming to be their great friends, promiſing them their faithful friendſhip, and ſo by great diſſimulation, or otherwiſe, get them into their poſſeſſion, conveying them into ſuch places where the ſaid offenders be of moſt power*; (2) *and when any women by ſuch means, or by any other means be in their government, the ſaid evil diſpoſed perſon or perſons will not ſuffer them to go at large, and be at their liberty, until that they will bind themſelves to the ſaid offenders, or other perſon or perſons to their uſe, in great ſums, by obligation.* 3 Inſt. 60.

tion or obligations, as well simple as conditional, or by obligation or obligations of statute-merchant, made before a mayor or bailiff, having power to take such recognisances.

II. *Also they will many times compel them to be married by them, contrary to their own likings, or otherwise they will levy the said sum or sums on their lands and goods, and put their person or persons in danger, to their great damage, which hath been, and is like to be an universal prejudice to the law of holy church, and the law of this realm, unless due remedy thereupon be provided.* (2) Our said lord the King, considering the premisses, hath ordained and established, by authority of this present parliament, That in all such cases aforesaid, the party bound may have a writ out of the chancery, containing all the matter of their unreasonable intreaty, directed to the sheriff of the county where any such offences were so done, or after shall be done, commanding him, that he, by force of this writ, make proclamation in the full county, and in the next county-court after the receipt of the said writ, that the person or persons contained in the said writ shall appear at a certain day and place prefixed in the said writ, before the chancellor of *England* for the time being, or otherwise before the justices of assise in the counties where the said offences were done, or else before some other notable person to be assigned by the chancellor of *England*, for the time being; (3) at the which day and place, if the said parties appear, that then the said chancellor of *England*, justice, or

A remedy for a woman that is inforced against her will to be bound by statute or obligation.

daler a large et estre a leur libertee jusqes a ceo qe els voillent obliger ceux a les ditz meffaisours ou autre persone ou persones a lour oeps en graundes sommes par obligation ou obligations sibien symplez come conditionelx ou par obligation ou obligations destatute merchaunt faitz devaunt maire ou baillif eiant poiar a prendre tielx reconisauntz.

Auxi multz foitz ils voillent compeller eux destre maries par eux contrarie a lour propre desires ou autrement ils voillent faire lever la dit somme ou sommes de lour terres & biens & dendaunger lour persone ou persones a leur tresgraunde damage qe ad este & est semblable estre universall prejudice al ley del eglise & la ley de cest roialme saunz ceo qe due remedie sur ceo soit purveu. Nostre dit seignur le Roy considerant les premisses ad ordeigne & establie par lauctorite de cest present parlement qe en toutz tielx cases desuisditz la partie oblige poet avoir brief hors del chauncerie conteignant tout la matier de leur dereasonable entraiter direct al viscount del counte ou ascuns tielx offenses feurent ensi faitz ou en apres serrount faitz commaundant luy qe il par force de cell brief face proclamation en le plein counte en le proschein counte puis la resceipt de le dit brief qe la persone ou persones conteignuz en le dit brief appierge ou appiergent as certeinz jour & lieu prefixez en le dit brief devaunt le chaunceller dEngleterre pur le temps esteant ou autrement devaunt les justices dez assise en lez ditz counteez ou les ditz offenses furent faitz ou autrement devaunt

vaunt aſcun autre notable perſone daſſigner par la chaunceller dEngleterre pur le temps eſteant as queux jour & lieu ſi les ditz partiez appierent qe lors le dit chaunceller juſtice ou autre perſone enſi daſſignier par le dit chaunceller pur le temps eſteant par vertue de ceſt ordenaunce face examiner duement les ditz parties ſur ceſtez premiſſez par quell examination ſils poient trover la dit obligation ou obligations ou aſcun de eux eſtre faitz tielment come deſuis eſt dit qe donqe la dit obligation ou obligations & tout proceſſe & execution ſuez ou a purſuers ſur ceo ſoient voidez & de null effect. Et ſil ſoit trove par examination devaunt eux qe la dit obligation ou obligations ou aſcune de eux furent faitz ou ſerront trovez faitz pur verraie duete & per null tiel moien come devaunt eſt dit qe donqe la dit obligation ou obligations & tout le proceſſe & execution ſuez ou a purſuers ſur ceo eſtoiſent bonez & effectuelx. Et ſil enſi ſoit qe la perſone ou perſones en tielx briefs nommes ou a nommers encountre qel ou qelx aſcun tielx briefs enapres ſerront ſuez facent ou face defaulte a lez jour & lieu limitez en meſme le brief ou briefs qe adonqes toutz tiel obligation ou obligations come ſoient devaunt eſpecifiez & en le dit brief ou briefs expreſſez & tout maner proceſſe & execution ſuez ou a purſuers ſur ceo ſoient voidez et qe le viſcount ou viſcountes a queux tiel brief ou briefs ſur ceſt ordenaunce enapres deſtre conceups ſerra ou ſerront directes face executer lez ditz briefs accordaunt al tenure diceux ſur peine de trois centz

or other perſon ſo to be aſſigned by the chancellor for the time being, by virtue of this ordinance, ſhall duly examine the ſaid parties upon the premiſſes; (4) by which examination, if they can find the ſaid obligation or obligations, or any of them, ſo to be made as is aforeſaid, that then the ſaid obligation or obligations, and all proceſs and execution ſued, or to be purſued thereupon, ſhall be void, and of no force nor effect. (5) And if it be found by examination before them, that the ſaid obligation or obligations, or any of them, were made, or ſhall be found to be made, for a true duty, and by no ſuch means as afore is ſaid, that then the ſaid obligation or obligations, and all the proceſs and execution ſued, or to be purſued thereupon, ſhall ſtand good and effectual. (6) And if it be ſo that the perſon or perſons in ſuch writs named, or to be named, againſt whom any ſuch letters or writs hereafter ſhall be ſued, make default at the day and place limited in the ſame writ or writs, that then all ſuch obligation or obligations as be before ſpecified and declared, and in the ſaid writ or writs expreſſed, declared, and ſpecified, and all manner of proceſs and execution ſued, or to be ſued thereupon, ſhall be void, and of no force nor effect; (7) and that the ſaid ſheriff or ſheriffs, to whom ſuch writ or writs upon this ordinance hereafter commenced, ſhall be directed, ſhall execute the ſaid writs according to the tenour of the ſame, upon pain of three hundred pounds, whereof our ſovereign

The forfeiture of the ſheriff which doth not execute the King's writ of proclamation.

lord the King to have the one half, and the other half to the party which ſhall ſue the ſaid writ of proclamation. (8) And that the ſaid party ſo grieved may have an action of debt in every ſuch caſe againſt the ſaid ſheriff, for the half of the ſaid three hundred pounds ſo forfeit, with proceſs of outlawry. (9) And that the party or parties defendants in any ſuch action hereafter to be purſued againſt any ſheriff or ſheriffs, ſhall alledge no protection, nor ſhall wage his law, nor ſhall be received to make or plead any foreign plea, to be tried in any other place than there where the ſaid writ grounded upon this ſtatute is ſued.

centz liverez dount le Roy noſtre ſoverayn ſeignur davoir lune moite & lautre moite a la partie qe ſuera le dit brief de proclamation. Et qe la dit partie iſſint greve poiet avoir action de dette en cheſcun tiel cas encountre le dit viſcount pur la moitee dez ditz trois centz liverez iſſint forfaitz ove proceſſe del utlagarie. Et qe la partie ou parties defendantz en aſcun tiel action de cy en apres encountre aſcun viſcount ou viſcountez a purſuers allegera null protection ne gaigera ſa ley ne ſerra reſceu affaire ou pleder aſcun forein plee deſtre trie en aſcun autre lieu qe la le ſuiſdit brief foundu ſur ceſt ordenaunce eſt ſuez.

Statutes made at *Weſtminſter*, *Anno* 33 HEN. VI. and *Anno Dom.* 1455.

HENRY *by the Grace of God King of* England *and* France, *and lord of* Ireland, *the ſixth after the conqueſt, at his parliament holden at* Weſtminſter *the ninth day of* July, *the three and thirtieth year of his reign, by the advice and aſſent of the lords ſpiritual and temporal, and the commons of his realm of* England, *being in the ſame parliament, and by authority of the ſame parliament, made and ordained certain ordinances and ſtatutes, for the common wealth of the ſame realm, in the form following.*

HENRICUS Dei gratia Rex Anglie & Francie & dominus Hibernie poſt conqueſtum ſextus ad parliamentum ſuum apud Weſtm' nono die Julii anno regni ſui triceſimo tertio tentum de aviſamento & aſſenſu dominorum ſpiritualium & temporalium ac communitatis regni ſui Anglie in eodem parliamento exiſtentium nec non auctoritate ejuſdem parliamenti quedam ordinationes & ſtatuta pro communi utilitate ejuſdem regni fieri & ſtabiliri fecit & ordinavit in forma ſequenti.

CAP. I.

A remedy for executors againſt ſervants that embezzle their maſter's goods after his death.

1 Inſt. 104. *Qu. If in uſe? See* 8 H. 6. c. 7.

FIRST, *our foreſaid lord the King, conſidering, how that of*

IN primis prefatus dominus Rex conſiderans qualiter jam-

jampridem diversi servientes familiares tam dominorum quam aliarum personarum boni gradus cito post mortem dictorum dominorum & magistrorum suorum bona que fuerunt ipsorum dominorum & magistrorum tempore mortis eorundem violenter & riotose ceperunt dispoliaverunt & ea inter se distribuerunt in executionis voluntatis dictorum dominorum & magistrorum suorum impedimentum ac gravem Dei displicentiam nec non contra fidem & veritatem quas ipsi penes dominos & magistros suos habere debuissent exemplumque imposterum valde periculosum nisi debitum in ea parte provideatur remedium. Quamobrem idem dominus Rex de avisamento assensu & auctoritate predictis ordinavit & stabilivit quod post plenam informationem cancellario Anglie pro tempore existenti per executores aliquorum hujusmodi dominorum sive persone aut duos eorundem executorum factam de aliqua hujusmodi riota captura & dispoliatione factis aut imposterum faciendis per familiares servientes dicti testatoris sui post mortem suam idem cancellarius de avisamento capitalium justiciariorum de banco ipsius domini regis & de communi banco ac capitalis baronis scaccarii pro tempore existentis aut duorum eorum habeat potestatem faciendi tot & talia brevia dirigenda talibus vicecomitibus per eorum discretionem quot & qualia eis in ea parte videbuntur necessaria ad faciend publicam proclamationem in talibus civitatibus burgis five villis duobus diebus mercatoriis infra duodecim dies prox' post de-

of late their testators household-servants, as well of lords, as of other persons of good degree, shortly after the death of their said lords and masters, violently and riotously have taken and spoiled the goods which were of their said lords and masters at the time of their death, and the same distributed amongst them, to the impediment of the execution of the will of their said lords and masters, and to the great displeasure of God, and also contrary to the duty and truth which they ought to have had towards their said lords and masters, and to a perilous example in time to come, unless due remedy in this behalf be provided. (2) Wherefore the same lord the King, by the advice, assent, and authority aforesaid, hath ordained and established, That after full information made to the chancellor of *England* for the time being, by the executors of any such lord or person, or two of the said executors, of such riot, taking, and spoil made, or hereafter to be made, by the household-servants of their or his said testator after his death, the same chancellor, by the advice of the chief justices of the King's bench, and of the common bench, and chief baron of the exchequer for the time being, or two of them, shall have power to make so many, and such writs, to be directed to such sheriffs by their discretion, as to them in this behalf shall seem necessary, to make open proclamation in such cities, boroughs, towns, or places, two market-days within twelve days next after the delivery of the same writs, as to the same chancellor, by the advice aforesaid, shall seem reasonable, That the said offenders shall appear be-

A remedy for the executors against a servant of their testators, who embezzled his master's goods after his death.

before the ſame our lord the King, or his heirs, in his bench, at ſuch a day as by the ſaid writ ſhall be limited, ſo that the ſaid laſt proclamation be made by fifteen days before the ſame day of appearance; (3) and if any ſuch writ be returned at the day contained in the ſaid writ, and the writ be executed, that proclamation is thereupon had and made according to the ſaid ordinance, and then if the ſaid perſon or perſons, which ſhould appear by reaſon of the ſaid proclamation, make default at the day ſpecified in the ſaid writ, and do not appear, then he or they ſo making default ſhall be attainted of felony.

II. And if any ſuch perſons or perſon do appear at the ſame day, then the juſtices of the ſaid King's bench ſhall have power, by the ſaid ordinance, to commit ſuch perſon or perſons, ſo appearing, to priſon, there to remain according to the ſaid juſtices diſcretion, until the ſaid offenders in the ſaid bench do anſwer to the ſaid executors in ſuch actions, which the ſaid executors will declare againſt them, or any of them, by bill or by writ, for the riot, taking, and ſpoiling aforeſaid, and that the ſame actions be determined; (2) ſo that the ſame actions be purſued with effect, and not ſlackly, to the intent to keep the ſame perſon or perſons in priſon.

A gaoler's forfeiture for ſetting at liberty a priſoner committed to his cuſtody by force of this ſtatute.

III. And if ſuch perſons or perſon be ſet at liberty out of priſon by the ſaid juſtices, that then the ſame perſons or perſon ſhall find ſufficient perſons to be bounden with them to the ſaid executors, by way of recogniſance in the ſaid bench, by

deliberationem eorundem brevium quibus eidem cancellario de aviſamento predicto videbitur rationabile quod dicti malefactores compareant coram ipſo domino Rege ſeu heredibus ſuis in banco ſuo ad talem diem qualis per dictum breve erit limitatus ſic quod dicta ultima proclamatio per quindecim dies ante eundem diem apparitionis fiat. Et ſi aliquod hujuſmodi breve retornatum ſit ad diem in eodem brevi contentum & breve ſit executum quod proclamatio ſuperinde habita & facta ordinationi predicte concordans exiſtat et tunc ſi dicte perſone vel perſona que compararent vel compareret ratione dicte proclamationis ad diem in dicto brevi ſpecificatum defaltam faciant vel faciat & non compareant vel non compareat ipſe vel ipſa defaltam ſic facientes vel faciens ſint vel ſit attinct' de felonia.

Et ſi hujuſmodi perſone vel perſona ad talem diem compareant vel compareat tunc juſticiarii de dicto banco domini Regis habeant poteſtatem per ordinationem predictam committendi talem perſonam vel perſonas ſic comparentem vel comparentes priſone ibidem juxta diſcretionem dictorum juſticiariorum moratur' quouſque dicti malefactores in banco predicto prefatis executoribus reſpondeant in talibus actionibus quales dicti executores verſus ipſos ſeu aliquem ipſorum per billam vel per breve pro riota captura & diſpoliatione predictis declarare volunt et quod eedem actiones ſint determinate ita quod actiones predicte proſequantur cum effectu & non remiſſe ea intentione ad dictas perſonas vel

by diſcretion of the juſtices, to keep ſuch days as he or they ſhall have by the ſame court; (2) and if the keepers of the priſon, whereunto the ſaid perſon or perſons be committed, do let them go at large out of the priſon of his own authority, without the conſideration and order of the ſaid juſtices, then the ſaid keeper ſhall forfeit and loſe forty [*four hundred*] pounds to the ſaid executors; (3) and that no protection be allowed in any action to be taken upon the ſaid ordinance.

perſonam in perſona cuſtodiend'. Et ſi hujuſmodi perſone vel perſona extra priſonam per dictos juſticiarios fuerint vel fuerit elargat' quod tunc eedem perſone vel perſona inveniant vel inveniat ſufficientes perſonas ſecum obligandas prefatis executoribus per viam recognitionis in dicto banco per diſcretionem juſtitiariorum ad cuſtodiend' tales dies quales ipſa vel ipſe habebit vel habebunt per eandem curiam. Et ſi cuſtodes priſone ubi dicte perſone vel perſona committentur vel committetur ipſas extra priſonam auctoritate ſua propria abſque conſideratione & ordinatione dictorum juſticiariorum elargaverint tunc dictus cuſtos quadringentas libras prefatis executoribus forisfaciat & perdat et quod nulla protectio in aliqua actione ſuper ordinatione predicta capienda allocetur.

CAP. II.

Jurors in an indictment in the county palatine of Lancaſter. *Of a foreigner dwelling in another county.*

ITEM pro eo quod humiles & fideles ligei & ſubditi Regii infra comitatum palatinum Lancaſtrie inhabitantes ſervitium domino Regi impenſuri ſunt & cunctis temporibus fuerunt parati ac etiam ſibi & progenitoribus ſuis impenderunt tam in regno Anglie quam in Scotia Francia & aliis partibus ac ſub legibus Regiis gubernati & non per eaſdem aliter quam alii ligei Regii extra dictum comitatum in regno predicto inhabitantes dampnificati quouſque jam noviter per quendam actum ad ultimum parliamentum apud Redyng tentum extiterit ordinatum quod nulle perſone ligeorum dicti domini Regis contra quas aliquod exigendum eſſet adjudicatum aut utlagaria pronunciata ad ſectam Regis vel ad ſectam partis in dicto comitatu forisfacerent aliqua

ITEM, *becauſe that the humble and faithful liege people of the King, his ſubjects inhabiting within the county palatine of* Lancaſter, *to do the King ſervice be and at all times were ready, and have done to him and his progenitors, as well in the realm of* England, *as in the realm of* Scotland, France, *and other parts, and have been governed by the King's laws, and not damnified by the ſame, otherwiſe than other of the King's liege people inhabiting in the realm of* England, *out of the ſame county, until now of late by a certain ſtatute at the laſt parliament holden at* Reading, *it was ordained and eſtabliſhed, That none of the King's liege people, againſt whom any exigent ſhould be awarded, or outlagary pronounced at the ſuit of the King or of the party in the ſaid county, ſhould forfeit any goods or chattels, lands or tene-*

A rehearſal of the ſtatute of 20 H. 6. c. 2. & 31 H. 6. c. 6. that they which be outlawed in the county of Lancaſter ſhall forfeit no lands nor goods that they have in other counties.

Qu. If in uſe. See 23 H. 6. c. 7. *ad finem.*

ments in any county, but only the goods and chattels, lands and tenements, which the perſons ſo outlawed, or they againſt whom any ſuch exigent in the ſaid county ſhould be awarded, have in the ſame county of Lancaſter, *and by reaſon of any ſuch outlagary at the ſuit of the King, or at the ſuit of the party, pronounced within the ſame county, ſhould not be barred or diſabled of any manner of action, nor to claim any manner inheritance out of the ſame county, notwithſtanding any outlawry againſt them pronounced, as in the ſame act doth more plainly appear.*

II. *And by reaſon of the ſame act, if any foreigner ſhould come into the ſaid county palatine, and ſhould ſlay any of the liege people of our lord the King, or ſhould commit any treaſon, murder, rape, robbery, or other felony or treſpaſs, or make any contract, or do any other offence within the ſaid county of* Lancaſter, *that then he ſhould have no other puniſhment nor forfeiture in this behalf, but only of ſuch goods which ſuch foreigners, doing and committing ſuch horrible offences, have within the ſaid county palatine, which for the moſt part have nothing within the ſame county; for which cauſe the ſaid foreigners, knowing no peril, puniſhment, nor loſs of goods in the law, to refrain or reſtrain them of ſuch treaſons, murders, and felonies, be the more encouraged daily to commit the ſame within the ſaid county, and giveth them audacity daily to offend againſt the laws of the King, his crown and dignity, and alſo in reſtraint of the King's laws, to the great loſs and final deſtruction of the ſaid liege people and ſubjects in the ſaid county palatine.* (2) Wherefore the foreſaid lord the King conſidering the premiſſes, by the

The inconveniencies enſuing by the ſaid ſtatute of 31 H. 6. c 6.

qua bona ſive catalla terras & tenementa in aliquo alio comitatu ſet ſolummodo bona & catalla terras & tenementa que perſone ſic utlagate aut ipſe contra quas hujuſmodi exigend' adjudicarentur in dicto comitatu habent in eodem comitatu Lancaſtrie ac ratione alicujus hujuſmodi utlagarie ad ſectam Regis & ad ſectam alicujus alterius perſone pronunciate infra eundem comitatum non eſſent barrate neque inhabilitate de quacunque actione neque ad clamand' qualemcunque hereditatem extra eundem comitatum nec inhabilitate ad proſequend' quamcunque actionem [neque ad clamand' qualemcunque hereditatem extra eundem comitatum nec inhabilitate ad proſequend' quamcunque actionem extra eundem comitatum] non obſtante hujuſmodi utlagaria contra ipſas pronunciata prout in eodem actu plenius apparet.

Ac ratione ejuſdem actus ſi aliquis forinſecus in dictum comitatum palatinum veniret & aliquem ligeorum domini Regis interficeret aut aliter aliquam proditionem murdrum raptum roberiam ſeu aliquam aliam feloniam ſive tranſgreſſionem perpetraret ſive aliquem contractum faceret vel aliquam aliam offenſam committeret infra dictum comitatum Lancaſtrie quod tunc ipſe nullam aliam punitionem neque forisfacturam in hac parte haberet niſi ſolummodo de hujuſmodi bonis que hujuſmodi forinſeci tales horribiles offenſas perpetrantes & committentes infra dictum comitatum palatinum habent qui pro majori parte nichil infra eundem comitatum habent qua de cauſa dictis forinſecis ſcientibus nullum periculum

culum punitionem neque deperditum bonorum in lege ad refrenandum ſive reſtringendum ipſos de hujuſmodi proditionibus murdris & feloniis eos talia perpetrare infra dictum comitatum cauſat & indies audaciam prebet contra leges coronam & dignitatem Regias in ea parte ac etiam in reſtrictione legum dicti domini Regis ad grave dampnum ac finalem deſtructionem dictorum ſubditorum nec non ligeorum in comitatu palatino predicto. Quapropter prefatus dominus Rex premiſſa conſiderans de aviſamento aſſenſu & auctoritate predictis voluit conceſſit ordinavit & ſtabilivit quod dictus actus ſuperius recitatus & ad dictum ultimum parliamentum apud Redyng editus adnulletur vacuetur & nullius vigoris exiſtat. Et ulterius pro conſervatione tranquillitate quiete & pace omnium ligeorum ſuorum tam infra dictum comitatum palatinum quam aliorum ligeorum ſuorum extra comitatum predictum infra regnum Anglie idem dominus Rex auctoritate predicta conceſſit ordinavit & ſtabilivit quod quodlibet indictamentum tempore futuro capiendum coram aliquo juſticiario dicti domini Regis infra dictum comitatum palatinum Lancaſtrie aut coram aliquo vicecomite in turno ſuo in comitatu predicto per quod aliqua perſona vel perſone ſuppoſit' per idem indictamentum eſſe vel fuiſſe inhabitan' ſive converſan' extra dictum comitatum Lancaſtrie & infra aliquem alium comitatum infra regnum Anglie capietur & habebitur per veredictum duodecim virorum quolibet eorum habente terras & tenementa aut aliqua alia

the advice, aſſent, and authority aforeſaid, hath willed, granted, and eſtabliſhed, That the act before rehearſed and made at the ſaid laſt parliament holden at *Reading*, ſhall be adnulled, void, and ſtand in no force. A repeal of the aforeſaid ſtatute.

(3) And further, for the conſervation, tranquillity, quietneſs, and peace of all his liege people, as well within the ſaid county palatine, as of other his liege people out of the ſaid county within the realm of *England*, the ſame lord the King, by authority aforeſaid, hath granted, ordained, and ſtabliſhed, That every indictment hereafter to be taken before any of the King's juſtices in the ſaid county palatine of *Lancaſter*, or before any ſheriff in his tourn in the ſaid county, whereby any perſon or perſons be ſuppoſed by the ſame indictment to be or to have been inhabiting or converſant out of the ſaid county of *Lancaſter*, and within any other county within the realm of *England*, ſhall be taken and had by the verdict of twelve men, whereof every of them, or ſome other perſon or perſons to their uſe, within the ſame county of *Lancaſter*, ſhall have to the yearly value of an hundred ſhillings.

(4) And no proceſs ſhall be made out of any ſuch indictment, before it be duly inquired and examined before the King's juſtices within the ſaid county of *Lancaſter* for the time being, whether the ſaid indictors, and every of them, at the time of ſuch indictment ſo taken, had lands and tenements within the ſaid county of *Lancaſter* to the yearly value of an hundred ſhillings above all charges. Of what eſtate thoſe jurors muſt be, who ſhall indict in the county of Lancaſter a foreigner dwelling in another county.

(5) And if it be found

found by examination of the ſaid juſtices for the time being within the ſaid county, that the ſaid indictors, and every of them, at the time of ſuch indictment, ſo taken, had not lands and tenements to the yearly value aforeſaid, that then the ſame indictments, as to ſuch perſons ſo indicted ſuppoſed by the ſaid indictments to be inhabiting and converſant out of the ſaid county of *Lancaſter*, ſhall be void and of no effect. (6) And alſo the ſame lord the King, of the advice and authority aforeſaid, hath granted, ordained, and eſtabliſhed, That every indictment from henceforth to be taken within any county of the ſaid realm, and out of the ſaid county of *Lancaſter*, before any juſtice, or the ſheriff in his tourn, whereby any perſon or perſons ſuppoſed by the ſame indictment to be or to have been converſant or inhabiting within the ſaid county of *Lancaſter*, and without ſuch county where ſuch indictments ſhall happen to be taken, ſhall be taken by verdict of twelve men, whereof every of them, or ſome other perſon or perſons to their uſe, ſhall have lands and tenements within the ſame county where the ſaid indictments ſhall be taken, to the yearly value of an hundred ſhillings. (7) And that no proceſs be made out of any ſuch indictments before it be duly examined and inquired before the King's juſtices, having power to award any proceſs upon ſuch indictments, whether the ſaid indictors, and every of them, at the time of ſuch indictments taken, or any other perſon or perſons to their uſe, had any lands

Of what eſtate thoſe jurors muſt be, who ſhall indict in another county any perſon dwelling in the county of Lancaſter.

alia perſona vel perſonis ad eorum uſum infra eundem comitatum Lancaſtrie ad annuum valorem centum ſolidorum. Et nulius proceſſus fiet extra aliquod hujuſmodi indictamentum antequam debite inquiratur & examinetur coram juſtiariis dicti domini Regis infra dictum comitatum Lancaſtrie pro tempore exiſtentibus utrum predicti indictatores & eorum quilibet tempore hujuſmodi indictamenti terras & tenementa infra dictum comitatum Lancaſtrie ad annuum valorem centum ſolidorum ultra omnia onera habuerunt & habuit. Et ſi inveniatur per examinationem dictorum juſtitiariorum pro tempore exiſtentium infra dictum comitatum quod indictatores predicti & eorum quilibet tempore hujuſmodi indictamenti ſic capti terras & tenementa ad annuum valorem ſupradictum non habuerunt quod tunc idem indictamentum quoad hujuſmodi perſonam vel perſonas ſic indictat' ſuppoſit' per dicta indictamenta eſſe inhabitant' vel converſant' extra dictum comitatum Lancaſtrie vacuum & nullius effectus exiſtat. Ac etiam idem dominus Rex de aviſamento & auctoritate predictis voluit conceſſit ordinavit & ſtabilivit quod quodlibet indictamentum tempore futuro capiendum infra aliquem comitatum dicti regni ſui & extra dictum comitatum Lancaſtrie coram aliquo juſtitiario vel vicecomite in turno ſuo per quod aliqua perſona vel perſone ſuppoſit' per idem indictamentum eſſe vel fuiſſe inhabitan' vel converſan' infra dictum comitatum Lancaſtrie & extra talem comitatum ubi hujuſmodi indictamenta capi con-

contigerint capietur per veredictum duodecim virorum quolibet eorum habente terras & tenementa aut aliqua alia perſona vel perſonis ad eorum uſum infra eundem comitatum ubi indictamenta predicta capiuntur ad annuum valorem centum ſolidorum. Et quod nullus proceſſus fiet extra aliqua hujuſmodi indictamenta antequam debite examinetur & inquiratur coram juſtitiariis ipſius domini Regis habentibus poteſtatem adjudicandi aliquem proceſſum ſuper hujuſmodi indictamenta utrum indictatores predicti & eorum quilibet tempore hujuſmodi indictamentorum captorum habuerunt terras & tenementa aut aliqua alia perſona vel perſone ad eorum uſum ad annuum valorem centum ſolidorum infra eundem comitatum ultra omnia onera ubi hujuſmodi indictamenta capi contingunt. Et ſi inveniatur coram domino Rege vel coram aliquo juſtitiariorum ſuorum quod dicti indictatores aut aliquis ipſorum tempore hujuſmodi indictamenti ſic capti non habuerunt vel non habuit nec aliquis ad eorum uſum habuit terras & tenementa ad valorem centum ſolidorum per annum quod tunc indictamentum predictum quoad aliquam hujuſmodi aliam perſonam vel perſonas ſuppoſit' per hujuſmodi indictament' eſſe vel fuiſſe inhabitant' ſive converſant' infra dictum comitatum Lancaſtrie vacuum & nullius effectus exiſtat.

lands or tenements to the yearly value of an hundred ſhillings within the ſame county, above all charges, where ſuch indictments happen to be taken. (8) And if it be found before our lord the King, or any of his juſtices, that the ſaid indictors, or any of them, had not at the time of ſuch indictments taken, nor that none other to their uſe had, lands and tenements to the value of an hundred ſhillings by year, that then the ſaid indictment, as to any ſuch perſon or perſons ſuppoſed by the ſame indictment to be or to have been inhabiting or converſant within the ſaid county of *Lancaſter*, ſhall be void and of no effect.

CAP. III.

A remedy for ſeveral extortions committed by the officers of the exchequer. Exchequer.

ITEM, whereas divers officers in the King's exchequer, do take wages and fees of the King, for themſelves and their clerks, for execution of their offices in the ſaid exchequer, that notwithſtanding the ſaid officers and their clerks do take of ſheriffs, eſcheators, and all other accomptants in the ſaid exchequer, great and exceſſive gifts, fees and rewards, for execution of their offices, againſt all reaſon and conſcience; and will not execute their offices for delivering of the ſaid accomptants, till they have ſuch exceſſive fees, gifts and rewards, which cauſeth ſheriffs, eſcheators, and other accomptants to take by extortion exceſſive fees, gifts, and rewards of the King's liege people in the counties where their offices be, to the great damage and deſtruction of all the ſaid accomptants, and all the people aforeſaid. And Extortion. whereas it doth pertain to divers officers in the ſaid exchequer, by reaſon of the fees and wages, which they take of the King to

enter pleas, as well betwixt the King and the party, as betwixt party and party, and pardons, writs of allowance, judgments, and other entries, without fees, gifts, or rewards; and the ſame officers and every of them notwithſtanding their ſaid fees and wages, will not enter any plea, though it contain but half a roll, except they for the ſaid entry have xxvj. ſhillings, viij. pence, xx. ſhillings, or xiij. ſhillings, iiij. pence at the leaſt, and for the entry of allowance or every pardon and writ, which they or any of them do enter, of whatſoever ſhortneſs that it be xs. And moreover, the chief clerk of every of the ſaid officers taketh for his labour, as well of every of the ſaid parties accomptants, as amounteth to the third part of that, that his maſter did take, which gifts and rewards of ſome accomptants amounteth to the ſum of twenty marks, of ſome ten pound, and ten marks at the leaſt, to the great damage, oppreſſion, and undoing of the ſaid people. And alſo whereas divers ſpecial commiſſions be directed to divers juſtices of peace, and alſo to other in every county of *England*, for the deliverance of felons and other cauſes, by virtue of which commiſſions the juſtices ſo aſſigned, ſometime do ſit and deliver felons, and ſometime ſuch commiſſion is not delivered. And that notwithſtanding, ſome of the ſaid officers, by virtue of their offices will make diſtreſs againſt ſuch commiſſioners, returnable at a certain day, to return their commiſſion with all iſſues forfeit, to be returned, at which day though ſome of the ſaid commiſſioners do appear, and for their excuſe do make an oath (as the law will) that they have ſitten and delivered the priſoners according to the form of the commiſſion, or otherwiſe, that no ſuch commiſſion came to their hands, in which caſe they be in the law diſcharged, yet this notwithſtanding the ſaid officers will write new diſtreſſes againſt the ſaid commiſſioners to diſtrain them: and ſo infinitely, till the ſaid commiſſioners have made a fine at their will. Our ſaid ſovereign lord the King conſidering the premiſſes, at the aſſent of the lords ſpiritual and temporal, and at the ſpecial requeſt of the ſaid commons, and by authority of this parliament, hath ordained and ſtabliſhed, That every officer of the ſaid exchequer, which taketh any fees or wages of the King for execution of his office, ſhall deliver all the accomptants in the ſaid exchequer, in that that to his office appertaineth, in a convenient time. And that they nor none of them, nor none of their clerks, take any gifts, fees, rewards, promiſe or ſurety for any thing, which they ſhall do in their ſaid office for any accomptants, except the ſaid fees and wages which he taketh of the King for the execution of his office. Saving always, That every of the ſaid officers, to whom it pertaineth by reaſon of his office to enter pleas, pardons, writs of allowance, and judgments, may take for the entring of the plea, pardon, writ, record, or judgment, that containeth half a roll, according to the length and breadth of old times, uſed in the ſaid exchequer, two ſhillings, and no more. And for the ſame plea, writ, pardon, record, or judgment, that containeth a whole roll, iv. ſhillings and no more. And for the

ſame

ſame plea, pardon, writ, record, or judgment, which containeth leſs than half a roll, xx. pence. And for the ſame plea, pardon, writ, record, or judgment, which containeth more, after the rate and quantity. And that none of the ſaid officers, nor their clerks, take any fees nor wages, nor other profit, of any collectors of *diſmes* or *quinſimes*, granted or hereafter to be granted to our ſovereign lord the King. And that ſuch officers in the ſaid exchequer, which have power to write by reaſon of their offices, diſtreſſes againſt the King's juſtices of peace, or any other commiſſioners, to bring their eſtreats, they nor none of their clerks, after that that the ſaid juſtices or commiſſioners ſhall make due excuſe (as before is rehearſed) or bring into the court their eſtreats, ſhall make no new diſtreſs nor other proceſs againſt the ſaid juſtices or commiſſioners, which ſo have excuſed them, or brought in their eſtreats. And if any of the ſaid officers, or any of their clerks, do contrary to any of the articles afore rehearſed, that then they, and every of them ſhall loſe xx. li. as often as they ſhall be found thereof defective, and our ſaid ſovereign lord the King ſhall have the one half of the ſaid xx. li. ſo forfeit, and ſuch perſon or perſons that will purſue, the other half. And the ſame ſuit ſhall be taken, holden and determined by action of debt before the barons of the ſaid exchequer, or elſe before the juſtices of the common bench, againſt any officers or clerks of the ſaid exchequer, that doth or taketh contrary to the ſaid ordinance, any privilege or cuſtom of the ſaid exchequer notwithſtanding. And that the ſame proceſs be had in this action before the ſaid juſtices, as is had in an action of debt upon an obligation at the common law; except that none officer, which hath any office in inheritance, in fee, be excluded in the ſaid exchequer to take the fees, which of old times were lawfully due and pertaining to his office, and no more. Saving always, That the ſaid officers of our ſovereign lord the King, and their clerks may take a reaſonable reward for their ſearches and copies made by them in the ſaid exchequer of any record, at the ſuit of any of the King's liege people, notwithſtanding the ſaid ordinance. Nevertheleſs the King would, That by advice of his council ſuch direction be taken in this behalf betwixt this time and the feaſt of St. *Michael* next enſuing, as ſhall ſeem reaſonable. And otherwiſe the ſaid ordinance ſhall ſtand in his ſtrength for term of v. years.

CAP. IV.

No perſon brewing ale or beer in Kent *to be ſold, ſhall, during five years, make above an hundred quarters of malt to his own uſe.*

ITEM, our ſaid ſovereign lord the King, of the advice of the ſaid lords ſpiritual and temporal, and at the requeſt of the ſaid commons, and alſo by authority of this parliament, hath ordained and eſtabliſhed, That no perſon that in the county of *Kent* ſhall commonly brew any ale or beer to ſell, ſhall make nor do to be made any malt in his houſe, or in any other place to his own Brewers in Kent.

own uſe at his coſts and expences, above an C. quarters in the year, upon pain to forfeit x. li. every year in which he ſo maketh or doth to be made above the ſaid hundred quarters, the one half to our ſovereign lord the King, and the other half to him or them which in this behalf will purſue. And, That the ſaid ordinance take effect the firſt day of *June* next coming, and ſhall endure for five years then next enſuing.

CAP. V.

No wrought ſilk belonging to the myſtery of ſilkwomen ſhall be brought into this realm by the way of merchandiſe, during five years.

Silk-women. ITEM, whereas it is ſhewed to our ſovereign lord the King in his ſaid parliament, by the grievous complaint of the ſilkwomen and ſpinners of the myſtery and occupation of ſilkworking, within the city of *London*, how that divers Lombards and other ſtrangers, imagining to deſtroy the ſaid myſtery, and all ſuch virtuous occupations of women in the ſaid realm, to enrich themſelves, and to encreaſe them and ſuch occupations in other ſtrange lands, have brought and daily go about to bring into the ſaid realm ſuch ſilk ſo made, wrought, twined, ribbands, and chains falſly and deceitfully wrought, all manner girdels and other things concerning the ſaid myſtery and occupation, in no manner wiſe bringing any good ſilk unwrought, as they were wont to bring heretofore, to the final deſtruction of the ſaid myſteries and occupations, unleſs it be the more haſtily remedied by the King's Majeſty. For reformation whereof the ſame our ſovereign lord the King, by the authority aforeſaid, will and hath ordained and eſtabliſhed, That if any Lombard, or any other perſon ſtranger or denizen, bring or cauſe to be brought by way of merchandiſe any wrought ſilk, twined ribbands

Girdels. and chains, girdels of ſilk, or any other thing touching and concerning the myſtery of ſilk-women (girdels which come from *Genoa* only except) into any port or place of the ſaid realm from beyond the ſea, That the ſame wrought ſilk, twined ribbands, chains, girdels, and other things ſo brought and wrought concerning the ſame myſteries, ſhall be forfeit. Alſo, That every

Lombard. Lombard, and other ſtranger and denizen, which doth contrary to this ordinance, as often as he ſo doth, ſhall forfeit twenty pounds, the one half thereof to be levied and had to the uſe and expences of the King's houſe, and the other half to that perſon that will ſue for the ſame. And that it ſhall be lawful to every of the King's liege people, to have and maintain an action or actions of debt at every time, as well for the ſame forfeiture of twenty pounds, as for the thing ſo forfeit, and the ſame proceſs to lie therein as in an action of debt at the common law: in

London. which ſuit no protection nor eſſoin ſhall be allowed. And, That the mayor of the ſaid city for the time being, ſhall have authority to aſſign ii. iii. or iv. men of the ſame city ſufficient and credible perſons, by their diſcretion to ſwear upon a book to make due ſearch within the ſame city and the liberty of the ſame, as often

often as ſhall ſeem expedient, of all things had or done contrary to the premiſſes, and thereof to make due relation to the mayor and aldermen of the ſaid city for the time being for a more full information to the King and him that will purſue. And, That the ſaid ordinance begin to take his ſtrength and effect at the feaſt of eaſter next enſuing, and ſhall endure for five years then next following.

CAP. VI.

Certain privileges granted to the abbot of Fountain *in the county of* York.

ITEM, whereas in the ſaid parliament it was lamentably ſhewed by the abbot and covent of the monaſtery of our lady of *Fontains* in the county of *York*, of that that whereas they and their predeceſſors of no little time againſt conſcience have been grievouſly diſturbed and vexed without cauſe by feigned actions, and daily be in divers courts, wapentakes and other court barons, to the number of xx. and above, within the ſaid county of *York*, and the county of *Cumberland*, and in the county of the city of *York*, within which counties the ſubſtance of the poſſeſſions of the ſaid monaſtery lieth, as well by the procuracy and excitation of the bailiffs, ſtewards, and officers of the ſaid courts, and alſo the farmers of the ſaid courts, wapentakes, and court barons, for their ſingular lucre and profit, as by other malicious and evil diſpoſed perſons, complaining againſt the ſame abbot, and covent, feigning and affirming in divers of their courts, wapentakes, and court barons, at ſome one court CCC. ſeveral plaints or more: and though the common law of *England* require, that every perſon ſued for any cauſe, in which ſuit he ought to be admitted to wage his law, that ſuch perſon ſo ſued ſhould wage his law by his ſufficient attorney having authority thereunto: and this notwithſtanding the predeceſſors of the ſaid now abbot and other abbots and priors in the ſaid counties, might in no wiſe be received by ſuch bailifs, ſtewards, and officers, to wage their law by their attornies in ſuch courts and wapentakes till for the ſame grief and complaint had in this party by authority of the parliament it was ordained that all abbots, and priors, and other religious of *England*, and their ſucceſſors, in ſuch caſes by their general attornies or attorney in every hundred or wapentake within the realm of *England*, every of them under their common ſeal, ſeverally ſhould plead in ſuch courts ſuch pleas as in the law were pleadable and allowable. And, That every bailiff and ſteward for the time being within the ſaid courts, ſhould receive ſuch attornies without amercing any ſuch abbots, priors, and religious or any of them, upon pain of forfeiture of x. li. Yet this notwithſtanding when the ſaid abbot by his attorney ſhould wage his law in the ſaid plaints in ſuch ſeveral courts, then the ſaid bailiffs, ſtewards, and officers, oftentimes for their ſingular lucre, and by covin had betwixt them and the ſaid malicious people affirming the ſaid plaints, have prefixed to the ſaid abbot a day to do his law in every of the ſaid ſeveral courts

and

and wapentakes together at one day and at ſeveral places, every place being ſo far from other, that the ſaid abbot in no wiſe might appear and come to do his law in his proper perſon, as the law requireth: and ſo he by ſuch cauſe in divers courts and wapentakes was often in the ſaid plaints condemned, and in divers of the ſame amerced, ſome year in an hundred marks, and ſome year more, and at the leaſt in xl. li. where neither by law nor by conſcience any cauſe of action was had: which labours, coſts, and vexations of likelihood ſhould continue and increaſe to the importable damage of the ſaid houſe, and of the abbot and covent aforeſaid, unleſs ſome gracious remedy in this behalf be provided in this ſaid parliament for the ſaid monaſtery: our ſaid ſovereign lord the King, conſidering the premiſſes, of the advice, aſſent and authority aforeſaid, hath granted, ordained, and eſtabliſhed, That the ſame abbot, and his ſucceſſors, againſt whom any quarrel or plaint is or hereafter ſhall be taken or attempted in any of the ſaid courts or wapentakes, may wage their law by their attorney or attornies of the matters contained or to be contained in every ſuch plaint, where the law permitteth them ſo to do. And, That they (their law ſo waged) may do their law by a monk of the ſame place, with other perſons with him to the number of ſix perſons, or otherwiſe by ſome other perſon aſſigned or deputy by the abbot of the ſaid houſe for the time being, under the common ſeal of the ſaid monaſtery of *Fontains*, with ſix perſons with him, to do the ſaid law for the abbot of the ſaid houſe. And, That the bailiffs, ſtewards and officers of the ſaid wapentakes and courts for the time being, ſhall admit, permit, and receive the ſaid laws to be done in the form aforeſaid. And, That all the ſaid laws ſo waged and done be as effectual and of ſuch ſtrength in the law, as if the ſame abbot or his ſucceſſors had done the ſame in their proper perſons after the courſe of the common law. And moreover by authority aforeſaid hath ordained, That if any bailiff, ſteward, or officer of the ſaid courts or wapentakes, will not admit ſuch law to be done in the form aforeſaid, or elſe in any wiſe do diſobey or do not obſerve the intent of the premiſſes of his behalf before rehearſed to be done, or omit or of his behalf do contrary to any of the premiſſes, then the ſame bailiff, ſteward, or officer ſo offending, for every time that he ſhall happen to do contrary in any of the premiſſes before rehearſed of his behalf to be done, ſhall forfeit xx. li. And every perſon in this caſe willing to purſue, may have a writ of debt, and declare upon the ſaid ordinance, and he ſhall have for his labour the one half of the ſame xx. li. and the King the other half.

CAP. VII.

How many attornies may be in Norfolk, *how many in* Suffolk, *and in* Norwich.

Ex edit Pult. 4 Inſt. 76. A practice of contentious attornies, to

ITEM, Whereas of time not long paſt within the city of *Norwich*, and the counties of *Norfolk* and *Suffolk*, there were no more but ſix or eight attornies at the moſt, coming to the King's courts,

courts, in which time great tranquility reigned in the ſaid city and counties, little trouble or vexation was made by untrue and foreign ſuits. (2) And now ſo it is, that in the ſaid city and counties there be fourſcore attornies or more, the more part of them having no other thing to live upon, but only his gain by the practice of attorneyſhip: and alſo the more part of them not being of ſufficient knowledge to be an attorney, (3) which come to every fair, market, and other places, where is any aſſembly of people, exhorting, procuring, moving and inciting the people to attempt untrue and foreign ſuits for ſmall treſpaſſes, little offences, and ſmall ſums of debt, whoſe actions be triable and determinable in court-barons, (4) whereby proceed many ſuits more of evil will and malice, than of truth of the thing, to the manifold vexations and no little damage of the inhabitants of the ſaid city and counties, and all to the perpetual diminution of all the court-barons in the ſaid counties, unleſs convenient remedy be provided in this behalf. (5) The foreſaid lord the King conſidering the premiſſes, by the advice, aſſent and authority aforeſaid, hath ordained and ſtabliſhed, That at all times from henceforth there ſhall be but ſix common attornies in the ſaid county of *Norfolk*, and ſix common attornies in the ſaid county of *Suffolk*, and two common attornies in the ſaid city of *Norwich*, to be attornies in the courts of record, (6) and that all the ſaid fourteen attornies ſhall be elect and admitted by the two chief juſtices of our lord the King for the time being, of the moſt ſufficient and beſt inſtructed by their diſcretions. (7) And, That the election and admiſſion of all attornies which ſhall be elected and admitted by the ſaid juſtices for the time being, above the ſaid number in the ſaid counties, ſhall be void and of no authority nor record. (8) And if any perſon or perſons uſurp or preſume to be attorney in courts of record in the ſaid counties or city otherwiſe than before is ſpecified, and that found by inquiſition taken before the juſtices of peace in the ſaid city or counties (which ſhall have power by virtue of this ordinance to enquire thereof in their ſeſſions) or in any other manner lawfully proved, That then he or they that ſo preſume, if they be thereof lawfully convict, ſhall forfeit twenty pound as often as he or they be ſo convict, the one half thereof to be taken to the King's uſe, and the other half to his uſe which for the ſame will ſue. (9) And he that thereof will ſue, ſhall have an action of debt againſt any ſuch perſon which ſo preſumeth to be attorney, (10) and ſuch proceſs for recovery of the ſame, as lieth in an action of debt at the common law upon an obligation. (11) Provided always, That the ſaid ordinance begin and firſt take effect at the feaſt of *Eaſter* next coming and not before, if the ſame ordinance ſeem reaſonable to the juſtices.

ſtir up ſuits for their private profits.

There ſhall be but ſix common attornies in Norfolk, ſix in Suffolk, and two in Norwich.

Juſtices of peace ſhall have authority to enquire of offenders. The forfeiture of offenders.

Qu. *If in uſe.*

Statute

Statutes made at *Westminster*, *Anno* 39 HEN. VI. and *Anno Dom.* 1460.

TO *the honour of almighty God, and the reverence of holy church, for to nourish peace, unity, and concord in all parts within this realm of* England, *and for the relief and sustentation of our lord the King, and of this his realm, the same our sovereign lord King* Henry *the Sixth after the conquest, at his high court of parliament holden at* Westminster *upon the seventh day of the month of* October, *the nine and thirtieth year of his noble and gracious reign, by the advice and assent of his lords spiritual and temporal, and at the special request of the commons of his said realm, assembled in the same parliament, and by the authority of the same parliament, hath ordained these things underwritten.*

CAP. I.

The parliament holden at Coventry, 20 die Novembris, Anno 37 HEN. VI. *repealed, and all acts, statutes,* &c. *made by authority of the same, reversed.*

Ex edit. Rast. Parliament.

FIRST, Whereas it hath been shewed to the King our sovereign lord by his liege and faithful commons in this present parliament, that divers seditious and evil disposed persons, having no regard to the dread of God, nor to the damage of the prosperous estate of our said sovereign lord the King, nor his realm, sinisterly and importunely did labour to the said King to summon a parliament to be holden at his city of *Coventry*, the xx. day of the month of *November*, the xxxviij. year of his noble reign, only to destroy certain of the great nobles faithful and lawful lords and estates of the King's blood, and other of the faithful liege people of the said realm of *England*, for the great rumour, hatred, and malice, which the said seditious persons of long time have had against then: and of their greedy and insatiable covetousness to have the lands, hereditaments, possessions, offices, and goods of the said lords and faithful liege people: by which sinister labour certain acts, statutes, and ordinances, against all good faith and conscience, in the said parliament were made finally to destroy the said lawful lords, estates, and liege people and their issues, as well innocents as other and their heirs for ever: which parliament was unduly summoned, and a great part of the knights for divers counties of this realm and many burgesses and citizens for divers boroughs and cities in the same appearing, were named, returned, and accepted, some of them without due and free election, some of them without any election, against the course of the King's laws and the liberties of the commons of this realm, by the means and labours of the said seditious persons, whereby many great jeopardies, enormities, and inconveniencies, well nigh to the ruin, decay, and universal subversion of the said realm, have ensued: our said sovereign lord the King, considering the premisses,

miſſes, and that the ſaid lords, eſtates, and other his liege people, againſt whom the ſaid acts, ſtatutes and ordinances were made, have always had great and faithful love to the preferment and ſurety of the King's perſon, according to their duty: and that few of the acts made in the ſaid parliament, holden at *Coventry*, were made for the weal of the King nor of his ſaid realm, but the greater part of the acts, ſtatutes, and ordinances there made, were laboured by the conſpiracy, procurement, and excitation of the ſaid evil diſpoſed perſons, for the introduction and accompliſhment of their rancour and inordinate covetiſe, by the advice and aſſent of the lords ſpiritual and temporal, and at the requeſt of the ſaid commons, in the ſaid parliament aſſembled, and by the ſame authority, hath ordained and ſtabliſhed, That the ſaid parliament holden at the ſaid city of *Coventry* be void, and holden for no parliament. And, That all acts, ſtatutes and ordinances, by the authority of the ſame made, be reverſed, adnulled, undone, repealed, revoked, voided, and of no force nor effect.

CAP. II.

A woman at fourteen years of age at the death of her anceſtor ſhall have livery of her land.

ITEM, of the advice, aſſent, and authority aforeſaid it is ordained and ſtabliſhed, That women being of the age of xiiii. years, at the time of the death of their anceſtors, without queſtion or difficulty ſhall have livery of their lands and tenements deſcended to them. For ſo the law of this land will that they ſhould have.

Women of the age of 14 at the death of their anceſtors ſhall have livery of their lands.

Thus end the ſtatutes of King *Henry* the Sixth.

Anno primo EDWARDI IV.

Statutes made at *Weſtminſter* in the firſt year of the reign of King EDWARD IV. and in the year of our Lord 1461.

EDWARD par la grace de Dieu Roi dEngleterre & de Fraunce & ſeigneour dIrland puis le conqueſt quart al honour de Dieu & de ſeint eſgliſe pur nurrer peas unite & concorde deins ſon roialme dEngleterre le quell il deſire moult entierment del advis & aſſent des ſeignurs eſpirituelx &

EDWARD *by the grace of God King of* England *and of* France, *and lord of* Ireland, *the fourth after the conqueſt, to the honour of God and of holy church, to nouriſh peace, unity, and concord within his realm of* England (*which he much deſireth*) *wholly, by the advice and aſſent of the lords ſpiritual and temporal*

temporal of the ſame realm, and at the ſpecial requeſt of the commons of his ſaid realm aſſembled, at his firſt parliament holden at Weſtminſter *upon the fourth day of* November, *in the firſt year of his reign, by authority of the ſame parliament, hath ordained and eſtabliſhed certain ſtatutes, declarations, and ordinances, in manner and form following.*

& temporelx de meſme roialme & a leſpeciale requeſt dez communez de ſon dit roialme a ſon primer parlement tenuz a Weſtm' le quart jour de Novembr' lan de ſon reigne primer venuz & aſſemblez & par lauctorite de meſme le parlement ad fait ordeigneir & eſablier certeins ſtatutez declarations & ordenaunces en la fourme qe enſuit.

CAP. I.

Which acts done by King Henry IV. *King* Henry V. *and King* Henry VI. *or by others during their reigns, ſhall continue good, and which not.*

Ex edit. Pul. What acts, grants, or things done by or during the reigns of K. Hen. 4. K. Hen. 5. and K. Hen 6. ſhall remain good, and what not.

FIRST, In eſchewing of ambiguities, doubts, and diverſities of opinions, which may riſe, enſue and be taken of and upon judicial acts, and exemplifications of the ſame made or had in the time or times of *Henry* the Fourth, *Henry* the Fifth his ſon, and *Henry* the Sixth his ſon, or any of them, late Kings of *England* ſucceſſively in deed, and not of right: (2) our ſaid lord the King, by the advice and aſſent of the lords ſpiritual and temporal, and at the requeſt of the ſaid commons in the ſaid parliament aſſembled, and by authority of the ſame, hath declared, eſtabliſhed, and enacted in the ſaid parliament, That all fines and final concords, levied or made of any lands, tenements, poſſeſſions, rents, inheritances, or other things, and all judicial acts, recoveries, and proceſſes, determined, or commenced, not revoked, reverſed, nor adnulled, made or had in any court or courts of record, or any court or courts in any of the times of the pretenſed reigns of any of the ſaid late kings, in deed and not in right (other than by authority of any parliament holden in any of their times) and exemplifications of the ſaid fines, acts judicial, and recoveries, out of any of the ſaid parliaments, and every of them, ſhall be of like force, virtue, and effect, as if the ſaid fines, final concords, acts, recoveries, proceſſes, and other the premiſſes, had or made out of any of the ſaid parliaments and exemplifications of the ſame, were commenced, ſued, had, or determined, in the time of any King lawfully reigning in this realm, obtaining the crown of the ſame by juſt title.

Judicial acts.

Creation of noble men.

II. And alſo, That all letters patents made by any of the ſaid pretenſed kings to any perſon or perſons, of creation, ennobling, and erection of any of them to any eſtate, dignity or preeminence, ſhall be to the ſaid perſon or perſons, and to ſuch of their heirs, which be contained in the ſame letters patents, of like force, value and effect, as touching ſuch creation, ennobling, or erection, as if the ſame letters patents were made or granted

granted to them by any King lawfully reigning in this realm of *England*, and obtaining the crown of the ſame by juſt title. (2) And that they being ſo created, ennobled and erected, ſhall have new grants of the King of their annuities for the maintenance of their eſtates, as hath been of old time accuſtomed, except ſuch perſons, and every of them, whom our ſovereign lord the King reputeth and holdeth for his rebels and enemies.

Liberties granted to counties or corporations by their ſeveral names.

III. And moreover, the exceſſive charges and coſts which the cities boroughs, towns, the cinqueports of *England*, and alſo the town of *Calais*, with the marches of the ſame, have endured and ſuffered, and the great poverty amongſt the people of the ſame conſidered, for the eaſe and relief of the ſame: the King hath ordained, eſtabliſhed, granted and enacted by the aſſent and authority of the ſaid lords ſpiritual and temporal, and at the requeſt of the ſaid commons, That all manner of liberties, privileges, franchiſes, powers, juriſdictions, profits, immunities, corporations, munitions, enlargements, annexions, unions, and ſeverings from counties, and making of counties by themſelves, and all manner of grants, leaſes, licences, pardons, diſcharges, exemptions, releaſes, fairs and markets (not revoked, repealed, nor adnulled by authority of parliament; or otherwiſe by proceſs of the law) granted in the times of *Henry* the Fourth, *Henry* the Fifth, or *Henry* the Sixth, late Kings of *England*, in deed and not of right, to any mayor, bailiff or bailiffs, ſheriff or ſheriffs, mayor and ſheriff, ſheriff and bailiffs, mayor and bailiffs, commonalty, citizens, mayor and commonalty, mayor, commonalty and citizens, mayor and citizens, mayor and aldermen, and their ſucceſſors, mayor and citizens, their heirs and ſucceſſors, bailiffs and citizens, their heirs and ſucceſſors, mayor and commonalty, their heirs and ſucceſſors, citizens and their heirs, citizens, their heirs and ſucceſſors, mayor and aldermen, mayor, aldermen and burgeſſes, mayor and burgeſſes, mayor, aldermen and ſheriff or ſheriffs, mayor, burgeſſes and their ſucceſſors, mayor, burgeſſes, their heirs and ſucceſſors, mayor, ſheriffs and burgeſſes, mayor, bailiffs and commonalty, aldermen and commonalty, aldermen, bailiffs and commonalty, aldermen and bailiffs, their heirs and ſucceſſors, bailiffs and commonalty, bailiffs, burgeſſes, and citizens, burgeſſes and commonalty, mayor, bailiffs and burgeſſes, their heirs and ſucceſſors, and the diſcreet men, their heirs and ſucceſſors, portreves, bailiffs and commons, ſtewards, burgeſſes, and the diſcreet men, portreves, barons and men, mayor, barons and commonalty, mayor and barons, barons and commonalty, barons and jurates, barons and jurates men inhabitants, mayors, conſtables and company of the merchants of the ſtaple at *Calais*, and to every of them, and their heirs, and to the ſucceſſors of every of them, and to the maſters, brethren, and ſiſters of guilds, and fraternities, maſters and commonalty, their heirs and ſucceſſors, and wardens and maſters of crafts, wardens of the commonalty of the myſtery of the mercers within the city of *London*, or to any of them before named, and to the ſucceſſors of

every of them, having corporation, by whatſoever name or names they or any of them be, or be called or named in any of the ſaid grants: they ſhall be in like ſtrength and virtue, as if they were granted by any King or Kings lawfully reigning in this realm of *England*, and in like manner and form to have confirmations and grants made, as if they had been granted in the times of the noble King *Edward* the Third, and King *Richard* the Second after the conqueſt, late lawful Kings of *England*.

Licences or pardons of alienations, or to enter into lands deſcended after an anceſtor's death.

IV. And moreover it is ordained, granted, eſtabliſhed and enacted, by the advice, aſſent and authority aforeſaid, That all manner of licences, gifts and grants made by any of the foreſaid late pretenſed kings of *England* to any perſon or perſons, to give, grant, aliene, purchaſe, or receive any lands, tenements, rents, poſſeſſions or other hereditaments holden of any of the ſaid late pretenſed kings in any manner, or to enter into any lands or tenements, rents, poſſeſſions or other hereditaments, after the death of any of their anceſtors, without due livery thereof ſued by due proceſs, according to the courſe of the common law of this realm of *England*, (2) or pardons made by any of the ſaid late pretenſed kings, to any perſon or perſons for any alienations made of any lands or tenements, rents, poſſeſſions, or other hereditaments, holden of any of the ſaid late pretenſed kings of *England*, or pardon or pardons granted by any of them to any perſon or perſons, for any entry or entries made in any lands, tenements, rents, poſſeſſions, or other hereditaments, which ſhould deſcend, revert, remain, or in any other manner ſhould come to them, or any of them, after, or by the death of any of their ſaid anceſtors, or any other perſon or perſons, without due livery thereof ſued, according to the courſe of the chancery, and law and cuſtom of this land, (3)

Licences to found any ſpiritual place or houſe, or any fraternity, guild, &c. or to give any lands to them.

or licence made by any of the ſaid late pretenſed kings of *England*, to any perſon or perſons, to found, erect, or eſtabliſh any abbey, priory, houſe of religion, college, chantery, hoſpital, or other houſe or ſpiritual place, or of alms: (4) or licence made by any of the ſaid late pretenſed kings to any perſon or perſons, to found or erect any fraternity, guild, company, or fellowſhip, or other body corporate, or to give and grant any lands, tenements, rents, poſſeſſions, or other hereditaments, to any perſon or perſons corporate, or having perpetual ſucceſſion:

Licences of appropriation, or to make elections.

(5) or licence made by any of the ſaid late pretenſed kings, to any of theſe aforenamed, for the acceptance and receipt of any thing by any ſuch gift, grant or licence made by any of the ſaid late pretenſed kings to any perſon or perſons to hold or retain any advowſon, or church in proper uſe by way of licence or appropriation, or to make any elections, ſo that any ſuch advowſon pertain not to the crown, (6) or pardon or pardons made by

Pardons to corporations, liveries or reſtitutions of temporalities.

any of the ſaid late kings to any body or perſons corporate, or having perpetual ſucceſſion by purchaſe, inquiſition or receipt of any of the premiſſes, or liveries, or reſtitutions of temporalities made by any of the ſaid late pretenſed kings to any archbiſhop, biſhop,

biſhop, abbot, prior, dean, chapter, or other perſon or perſons ſpiritual, ſhall be of like force, virtue and effect, as if the ſaid licences, pardons, and liveries were granted by any King in this realm lawfully reigning, and obtaining the crown of the ſame by juſt title: ſo that the ſame licences, reſtitutions, and liveries, were executed in the time of any of the ſaid late pretenſed kings, in deed and not of right; or if they were executed within the ſame time in part and not in the whole, that the ſame licences, as to that part ſo executed, ſhall be of like force, virtue, and effect, as if the ſaid licences were granted by any King lawfully reigning in this realm of *England*, and obtaining the crown of the ſame by juſt title. (7) And if any of the ſaid late pretenſed kings, in deed and not of right, hath by his letters patents, or by authority of their parliaments, founded or eſtabliſhed any abbey, priory, houſe of religion, college, chantery, hoſpital, or any other houſe or ſpiritual place of alms, that all ſuch foundations, as to the corporations and ſcites of the ſame, ſhall be of like force, virtue and effect, as if ſuch foundations were made by any King lawfully reigning in this realm, and obtaining the crown of the ſame by juſt title: ſo that this preſent article concerning the foundations or eſtabliſhments aforeſaid, or any of them, ſhall not extend nor be prejudicial in any manner to the King, or to any other perſon or perſons, for any lands, tenements, rents, poſſeſſions, or hereditaments, or any manner advowſons in any wiſe pertaining to the King, or to any other perſon or perſons, other than ſuch which be and make the ſcite or ſcites of any ſuch abbey, priory, houſe of religion, college, chantery, hoſpital, or other houſe or place aforeſaid.

Founding of religious houſes touching the ſcites of the ſame.

V. And that all grants and aſſignments of dower, made by any of the ſaid late pretenſed kings, to any woman after the death of her husband, to hold for term of her life, or by any letters patents made of ſpecial grace by any of the ſaid late pretenſed kings, or aſſignments of dower made to any ſuch wife after the death of her husband in the chancery, after the courſe of the ſame in the time of the pretenſed reigns of any of the ſaid late pretenſed kings, ſhall be of like virtue, power, and effect, as if the ſaid grants and aſſignments were made by any King lawfully reigning, and obtaining the crown of the ſame by juſt title.

Aſſignment of dower to any woman during her life.

VI. Provided always, That this preſent article do not extend, nor in any wiſe be prejudicial to the King, for any lands, tenements, rents, poſſeſſions, or other hereditaments, pertaining to the King, in the right of his crown, the firſt day of *November* laſt paſt.

VII. Provided alſo, That by this preſent act no prejudice be done to the dutcheſs of *Bedford*, as concerning her dower. (2) And whereas any lands, tenements, rents, poſſeſſions, hereditaments, or other things have been given to any of the ſaid pretenſed kings by any perſon or perſons, to the intent that gifts ſhould be thereof made by the ſaid kings, or any of them,

Lands aſſured in Mortmain by the King, which were given to him to that intent.

by any of their letters patents by way of *Mortmain* for ever, that all grants and letters patents made by any of the ſame late pretenſed kings, for the amortiſing of any lands, tenements, rents, poſſeſſions, hereditaments, or other things, ſhall be of like force, virtue and effect, as if the ſame grants were made by any King lawfully reigning in this realm, and obtaining the crown of the ſame by juſt title: ſo that any of the ſaid late pretenſed kings by whom any ſuch letters patents were made, were never ſeiſed of and in the ſaid lands, tenements, rents, poſſeſſions, or hereditaments, but only by virtue of ſuch feoffments, grants, gifts, or other eſtates made to them, or any of them.

Lands aſſured to the King by way of recompence or exchange.

VIII. Provided always, That this act extend not to any lands, tenements, rents, poſſeſſions, advowſons, hereditaments, or other things that were given to any of the ſaid late pretenſed kings, by way of recompence or exchange for any lands, tenements, rents, poſſeſſions, advowſons, hereditaments, or other things which in any wiſe pertained to the crown, although no mention were made in any letters patents or other writings of any recompence or exchange.

Collations, gifts, and preſentations to benefices during the incumbents lives.

IX. And that all grants, collations, gifts or preſentations, made by any of the ſaid late pretenſed kings to any perſon or perſons not corporate, nor having perpetual ſucceſſion of any benefice, dignity, church, prebend, hoſpital or chaple, ſhall be of like force, virtue and effect, as if the ſame grants, collations, gifts and preſentments were made by any King lawfully reigning in this realm, and obtaining the crown of the ſame by juſt title, during the life or lives of the ſaid perſon or perſons being incumbents, poſſeſſors or occupiers of the ſame, or any of them.

The king's open enemies and perſons attainted excepted.

X. Provided always, That thoſe perſons which be attainted in this preſent parliament, and ſuch that be out with the King's enemies, ſhall take no benefit nor advantage by this act.

Grants of wards and marriages.

XI. And that all grants made by any of the ſaid late pretenſed kings, by any their letters patents, to any perſon or perſons of any wards and marriages, ſhall be of like force, virtue, and effect, as if the ſaid grants were made by any King lawfully reigning in this realm, and obtaining the crown of the ſame by juſt title.

Grants of fairs and markets.

XII. And all grants and letters patents made by any of the ſaid late pretenſed kings, to any perſon or perſons, to have any fair or fairs, market or markets, in any town or towns, place or places, all ſuch grants, and letters patents, as to ſuch fairs and markets, and every of them, ſhall be of like force, virtue, and effect, as if the ſame grants and letters patents were made by any King lawfully reigning in this realm, and obtaining the crown of the ſame by juſt title.

Grants to heirs of liveries of their anceſtors lands.

XIII. And alſo if any perſon or perſons hath ſued, obtained, and had any livery by the courſe of the common law of this realm, or otherwiſe, of any lands, tenements, rents, poſſeſſions, advowſons, or other hereditaments, which ſhould deſcend, revert, remain, or in any other manner come to them or any of them,

them, by any livery purſued after or by the death of any of their anceſtors, or any other perſon or perſons, after the fourth day of *March* laſt paſt, that all ſuch liveries ſhall be of like force, virtue and effect, as they were at the time of the ſaid liveries purſued: ſo that the ſaid lands, tenements, rents, poſſeſſions, advowſons, and other hereditaments, or any parcel thereof, were not pertaining to the King in the right of his crown.

Wards or marriages granted by K. Ed. 4.

XIV. Provided always, That this article extend not to any lands, tenements, or other things which do pertain or ought to come into the King's hands, by reaſon of any attainder in this preſent parliament. And alſo, That all grants and letters patents made by our lord the King to any perſon or perſons, after the fourth day of *March* laſt paſt, of any wards or marriages, of any perſon or perſons being within age, ſhall be of like force and effect to them and every of them, as they were at the times of the grants and letters patents thereof made to them or any of them: any act or ordinance in this preſent parliament made or to be made notwithſtanding.

K. Ed. 4. letters patents made to ſeveral perſons of offices.

XV. Provided always, That this article extend not to any wards or marriages of any perſons which do pertain or ought to come to the King's hands, by reaſon of any attainder in this preſent parliament, (2) and that all grants made by our ſaid ſovereign lord the King by his letters patents, after the fourth day of *March* laſt paſt, to any of his faithful liege men that were not againſt him in any field after the firſt day of his reign, nor againſt the high and mighty prince, father to the ſaid King, in the field and evil journey of *Wakefield*, of any office or offices which ſuch perſon or perſons by the King's diſcreet conſideration hath deſerved, the effect of ſuch grant or grants ſhall be of like ſtrength and force, as they or any of them were at the time of ſuch grant or grants, letters patents, and every of them made; any ſtatute, act or ordinance, made or to be made in this preſent parliament notwithſtanding.

Certain officers to whom the King had granted their offices during his pleaſure.

XVI. Provided always, That this act be not prejudicial nor hurtful to any perſon or perſons, for any grant or grants made to them or any of them of any annuity, fee, or penſion, or of any deanry, hoſpital, or benefice, or of any office or offices, in the time of the King's progenitors, with the fees and wages thereto due and accuſtomed, made by the King by his letters patents ſithence the fourth day of *March* laſt paſt, his letters patents made of all the offices of ſerjeants at arms, and of the offices of juſtices of the one bench and of the other, barons of his exchequer, warden of the rolls of his chancery of *England*, warden of the rolls of his chancery of his land of *Ireland*, clerk of his council, ſecondary in the office of his privy ſeal, clerk or warden of his hamper of his ſaid chancery of *England*, keeper of his parks of *Hellesbury* and *Lantgles* in the county of *Cornwall*, clerk of the market of his houſe, the chirographer and warden of the King's writs and records of his common bench, meſſengers of his exchequer, glaſier, plumber, broiderer, joyner, fletcher within the tower of *London*, chief carpenter within the

palace of *Weſtminſter*, receiver of all offices accountable, bailiff of *Havering*, bailiff of *Surry* and of his auditors in the counties of *Cheſter* and *Flint*, and of *South-Wales*, purveyor and comptroller of the ſearch of his port of *London*, warden of his armour in the tower of *London*, maker of his poincts, conſtable of his caſtle or lordſhip of *Hadleigh*, clerk of his great wardrobe, purveyor of all manner of ſtuff for his works within his palace of *Weſtminſter*, and the tower of *London*, and the captain of his caſtle of *Hammes*, excepted. The ſame letters patent ſo excepted, to endure and be of ſtrength, virtue, and effect, at the pleaſure and will of the King. (2) And alſo, That all confirmations, ratifications, approbations, leaſes, and grants of all franchiſes, liberties, privileges, cuſtoms, or any other commodities, profits or advantages, and every of them, diſtinctions, ſeverances from counties, and making of counties by themſelves, grants, releaſes, diminutions and pardon of fee-ferms, and every of them, made and granted by our ſaid ſovereign lord the King, by his letters patents, ſithence the fourth day of *March* laſt paſt, in relief and benefit of any city, town or borough of this realm, to any mayor, bailiff or bailiffs, ſheriff or ſheriffs, mayor and commonalty, mayor and citizens, mayor and aldermen, mayor and ſheriff, mayor, bailiffs, and commonalty, citizens, bailiffs, and citizens, their heirs and ſucceſſors, and the heirs and ſucceſſors of every of them by whatſoever name or names they or any of them be called or named in the ſaid grants or other the premiſſes, or any of them, ſhall be of like force and effect, as they or any of them were at the time of the grants, and letters patents thereof made. (3) And alſo if any of the ſaid late pretenſed kings, or any of their anceſtors hath been infeoffed by any perſon or perſons, of or in any lands, tenements, rents, poſſeſſions, advowſons, or other hereditaments, only upon truſt and confidence to refeoff the ſaid perſon or perſons, or their heirs or aſſigns, of any of the ſame, at ſuch time as they ſhould be thereto required, That all ſuch grants, feoffments, or other eſtates, made by any of the ſaid late pretenſed kings, or any of their anceſtors, of any ſuch lands, tenements, rents, poſſeſſions, advowſons, or other hereditaments, to any ſuch perſon or perſons, their heirs or aſſigns, or to the heirs or aſſigns of any of them, ſhall be of like force and effect in the law, and available to the ſaid perſon or perſons, and to the heirs and aſſigns of them, and every of them, as they were at the times of the ſaid grants and feoffments, or other eſtates made to them, or any of them, any act or ordinance in this preſent parliament made or to be made notwithſtanding: ſo that none of the ſaid pretenſed kings, nor any of their anceſtors, after the laſt day of the reign of King *Edward* the Third, progenitor of our ſaid lord the King, were at any time ſeiſed of the lands, tenements, rents, poſſeſſions, advowſons, or other hereditaments, nor of any parcel thereof, but only by virtue of ſuch feoffments made to them or any of them upon confidence in manner and form aforeſaid, and in no other manner: and that the ſame lands, tenements, rents,

K. Ed. 4. ſeveral grants to divers corporations of liberties and other benefits within a certain time.

Feoffments upon truſt to the late King, to the uſe of others.

rents, poſſeſſions, advowſons, or other hereditaments, and every of them, be holden of the ſame chief lords immediate, or of their heirs, and by the ſame ſervices, as they were holden at the time the ſame feoffments made to any of the ſaid late pretenſed kings, or to any of their anceſtors, any poſſeſſion of the late pretenſed kings, or any of their anceſtors, after the laſt day of the reign of King *Edward* the Third, notwithſtanding. (4) Provided always, That no perſon attainted in this preſent parliament take any benefit or advantage thereby. (5) Alſo, That all letters patents granted and directed by our ſaid lord the King after the firſt day of his reign, to his chancellor or treaſurer of this realm, juſtices of the pleas to be holden before the King, juſtices of the common bench, or barons of the exchequer, or to any of them, for the exerciſe of any ſuch thing as pertaineth to the office or offices, authority and power of them, or any of them, by reaſon of any of the ſaid letters patents and grants, ſhall be of like force, virtue and effect, as they or any of them were the firſt day of *November* laſt paſt, any ſtatute, act, or ordinance made in this preſent parliament notwithſtanding: ſo that the barons of the exchequer ſhall occupy, or exerciſe their offices at the King's pleaſure, as the juſtices do. (6) And alſo, That every commiſſion made, granted, and directed by any of the ſaid late pretenſed kings in any of their times, to any perſon or perſons to be aſſigned for the peace in every or any county of this realm to be eſtabliſhed and kept, and to hear and determine all manner of felonies, treſpaſſes, and other offences ſpecified in the ſaid commiſſions, and every of them, done or committed in any of the ſaid counties, or to deliver any gaol or gaols within this realm, or in other place or places under the obeiſance of the crown, of the priſoners being in any of the ſaid gaols in the time of any of the ſaid late pretenſed kings, or to hear and determine all manner treaſons, felonies, treſpaſſes, or other offences done in any of the ſaid counties, or in any place or places under the obeiſance of the crown of the ſaid realm, ſpecified in every of the ſaid commiſſions, or for ſewers being aſſigned to ſurvey and to cauſe to be repaired and amended, walls, marſhes, ditches, cutters, cauſeys, and bridges, and other defaults in any marſh or marſhes, in any part of this realm, ſpecified in the ſame commiſsions and every of them, and all other commiſsions made by any of the ſaid late pretenſed kings, to any perſon or perſons before the fourth day of *March* laſt paſt, and all proceſſes, determinations, executions, incidents, adminicles, and other circumſtances pertaining to the ſame commiſsions and every of them, not void, repealed, and adnulled, ſhall be of like force, virtue and ſtrength, as if the ſame commiſsions and every of them were made and granted by any King lawfully reigning in this realm, and obtaining the crown of the ſame by juſt title: ſo that a ſpecial act be made for ſuch perſons that were before this time indamaged for the King.

The force of the King's letters patents made to the lord chancellor, lord treaſurer, juſtices, &c. or to the barons of the exchequer.

Commiſſions of the peace, of gaol-delivery, and to hear and determine, or of ſewers, and all other commiſſions.

XVII. And alſo, That all manner of acts and ordinances made by authority of any parliament or parliaments holden in the time

Acts of parliament for Shrewsbury

time of any of the ſaid late pretenſed kings, for the conſervation and keeping of the town of *Shrewsbury*, and of the good, peaceable, and quiet rule and government within the ſaid town, betwixt the inhabitants of the ſame, and every of them, ſhall be of like force and effect, as if the ſame acts or ordinances, and every of them, were made in the time of any King or Kings lawfully reigning in this realm, and obtaining the crown of the ſame by juſt title.

K. Hen. 6. his grant to the abbot of Biland of the manor of Kilbourn in the county of York.

XVIII. Alſo whereas the ſaid late pretenſed king *Henry* the Sixth, in deed, and not of right, king of this realm, by his charter indented under the ſeal of the dutchy of *Lancaſter* ſealed, bearing date the twentieth day of *March*, the xxiv year of his uſurped reign, did give and grant, and by the ſame charter confirmed to *William* abbot of *Biland* the manor of *Kilbourn*, with the appurtenances, in the county of *York*, with all the knights fees, views of frankpledge, franchiſes, liberties, commodities, profits and appurtenances to the ſame manor in any wiſe belonging or appertaining, to have and to hold the ſame manor, with the other premiſſes to the ſaid abbot, and his ſucceſſors for ever, yielding therefore to the ſaid pretenſed king *Henry* the Sixth, and his heirs dukes of *Lancaſter*, xxi li. yearly, (where the ſaid pretenſed king, nor any of his anceſtors dukes of *Lancaſter*, before the ſame time were ever anſwered of the ſaid yearly iſſues and profits of the ſame manor, but of xvi li. by year only) the ſaid xxi li. to be paid at the feaſts of *Pentecoſt* and St. *Martin* in winter, by even portions, for all ſecular ſervices, with clauſe of diſtreſs for default of payment of the ſaid rent by half a year, in all the manors, lands, and tenements of the ſaid abbot and convent within the ſame county, as in the ſame charter thereof made more plainly appeareth: that all the ſame charter, gift, and grant ſhall be until this time, and hereafter to the ſaid abbot and convent, and to their ſucceſſors, of like force and effect, as they were the firſt day of *March* laſt: any act or ordinance made in this preſent parliament notwithſtanding.

Grants to abbots, priors, &c. to make free election.

XIX. And alſo, That all grants and licences made by letters patents of any of the ſaid late pretenſed kings, to any abbot and convent, prior and convent, or to any other perſon or perſons, to have and make by free election within themſelves at any voidance, abbot or prior, and to be conventual, perpetual, and elective, where before they were dative and removeable, ſhall be of like ſtrength, virtue and effect, as if the ſame grants and licences, or any of them, were made by any King lawfully reigning in this realm, and obtaining the crown of the ſame by juſt title.

Recognizances and deeds inrolled.

XX. Alſo, That all records of recognizances and deeds inrolled, had and made in any court or courts of record, or before any juſtice of record, in the time of the reigns of any of the ſaid late pretenſed kings, ſhall be of like force, virtue and effect, as if the ſame records were had or made in the time of any King lawfully reigning in this realm, and obtaining the crown of the ſame by juſt title.

Licences to make parks, chaſes, free warrens, or to make caſtles, towers, or to embattle a houſe.

XXI. And alſo, That all licences and grants made by any of the ſaid late pretenſed kings to any perſon or perſons, to make, have, incloſe and enjoy any park or parks, warren or free chaſe, or to embattle, to carnel, to maſtol, or to make any tower, caſtle or fortreſs, within this realm, ſhall be of like force, virtue and effect, as if the ſaid grants and licences were made by any King lawfully reigning in this realm, and obtaining the crown of the ſame by juſt title.

Cicily, dutcheſs of York, mother to the King.

XXII. Provided always, That this act do not extend nor be prejudicial to the right noble high and mighty princeſs, *Cicily* dutcheſs of *York*, mother unto our ſaid ſovereign lord the King, of any grant or grants made to her by the King by his letters patents before the firſt day of this parliament, by whatſoever name or names ſhe ſhall be called in the ſame letters patents, but that the ſame letters patents, and every grant therein contained, be of like force and effect, as they were before the firſt day of this parliament: this act, or any other, made or to be made in this preſent parliament notwithſtanding.

Lands devolved to the King by attainder, or, &c.

XXIII. Provided always, That this act, nor any article of the ſame, do not extend to any lands, tenements, poſſeſſions, hereditaments, or other things, which the King ought in any wiſe to have by force of any act of attainder of any perſon or perſons made in this preſent parliament.

XXIV. Provided alſo, That no perſon or perſons attainted in this preſent parliament, or being out with the King's enemies, take any benefit or advantage by this act, nor any other act made or to be made in the ſaid parliament.

CAP. II.

Juſtices of peace may award proceſs upon indictments taken in ſheriffs tourns.

The inconveniencies of unlawful indictments in ſheriffs tourns by mean perſons.

ITEM qe come pluſours del foiall liege people du Roi ſibien eſpirituelx come temporelx par les enordinez & deſmeſurablez enditementz & preſentementz ſibien de felonie treſpaſſez & offenſez come dautres choſez queux de long temps ount eſte priſez euez & uſez deinz les counteez de ceſt roialme & priſez devaunt viſcountez pur le temps eſteantz es counteez ſeveralment lours ſuthviſcountez lours clerkes bailliffs & lour miniſtrez al lour tournes ou lawe daies tenuz devaunt eux ſeveralment en les counteez les quelx enditementz & preſentementz ſount

ALSO *whereas many of the King's faithful liege people, as well ſpiritual as temporal, by the inordinate and infinite indictments and preſentments, as well of felony, treſpaſſes, and offences, as of other things, which of long time have been had and uſed within the counties of this realm, and taken before ſheriffs for the time being in their counties ſeverally, under-ſheriffs, their clerks, bailiffs, and miniſters, at their tourns or law-days, holden before them ſeverally in the counties, which indictments and preſentments be oftentimes affirmed by jurors having no conſcience, nor any freehold, and little goods, and often*

13 Ed. 1. ſtat. 1. c. 13.

often by the ſaid ſheriffs menial ſervants and bailiffs, and their under-ſheriffs, by which indictments and preſentments the ſaid lawful liege people be attached and arreſted by their bodies, and put in priſon by the ſaid ſheriffs, under-ſheriffs, their clerks, bailiffs, and miniſters, to the great loſs of their goods; and they ſo being in priſon by the ſaid ſheriffs, under-ſheriffs, their clerks, bailiffs, and their miniſters, are conſtrained to make grievous fines and ranſoms, and levy of them great fines and amerciaments for the ſaid indictments and preſentments, in great hindrance and utter undoing of the ſaid liege people; (2) *after which fines, ranſoms, and amerciaments ſo rated and levied by the ſaid ſheriffs, under-ſheriffs, clerks, bailiffs, and their miniſters, the people aforeſaid be inlarged out of priſon, and the ſaid indictments and preſentments be imbezilled and withdrawn*: (3) our ſaid lord the King conſidering the premiſſes, by the advice and aſſent of the lords ſpiritual and temporal, and at the requeſt of the commons in this preſent parliament aſſembled, and by authority of the ſame, hath ordained and ſtabliſhed, That all manner indictments and preſentments that ſhall be taken hereafter before any of his ſaid ſheriffs of his counties for the time being, their under-ſheriffs, clerks, bailiffs, or miniſters, at their tourns or law-days before mentioned, they nor any of them ſhall have power or authority to attach, arreſt, or put in priſon, or to levy any fines or amerciaments of any perſon or perſons ſo indicted or preſented, by reaſon or colour of any ſuch indictment or preſentment taken or to

ſount ſovent foitz affermez par jurrours null conſcience eiantz ne franc tenement & petit des biens & ſouvent foitz par ſervauntez menialx & baillifs de lez ditz viſcountez & lours ſuthviſcountez par quelx enditementz & preſentementz le dit foiall liege people par lez ditz viſcountez ſuthviſcountez lour clerkes baillifs & lour miniſtres ſont attachez areſtutz par lour corps & miſez en priſon au graund dureſſe de leurs perſones et ceux iſſint eſteantz en priſon par lez ditz viſcountez ſuthviſcountez clerkes baillifs & lours miniſtres le dit foiall liege people enſi en priſon conſtreignont & fount ceux de faire oveqe eux graund fines & raunſons & auxi de ceux levent graundz fines & amerciamentez pur les ditz enditementz & preſentementz en graund prejudice & anientiſment du liege people avauntdit apres quelx fines raunſons & amerciaments enſi par lez ditz viſcountez ſuthviſcountez clerkes baillifs & lour miniſtrez iſſint faitz euez & levez le people avauntdit eſt enlarge hors del priſon & lez ditz enditementz & preſentementz ſont aloignez embeſiles & ſuſtreitz. Noſtre dit ſoverayn ſeignur le Roi les premiſſez conſiderez par ladvis & aſſent des ſeignurs eſpirituelx & temporelx & a la requeſt dez communes en la dit parlement aſſemblez & par auctorite dicell ad ordeigne & eſtablie qe toutz manerez denditementez & preſentementz quelx ſerront priſez en aprez devaunt aſcun des ſes viſcountez de ſez counteez pur le temps eſteantz lour ſuthviſcountz clerkes baillifs ou miniſtres a lour turnez ou lawedaies deſuis eſpecifiez naient

ient ne null de ceux ait poair ne auctorite dareſter attacher ou mettre en priſon ou lever aſcuns fines ou amerciamentz daſcun perſone ou perſones iſſint enditez ou preſentez par reſon ou colour daſcun tiel enditement ou preſentement devaunt ceux ou aſcun deux priſe ne de faire ou prendre daſcun tiel perſone ou perſones iſſint enditez ou preſentez aſcun fine ou raunſome mes qe les viſcountez ſuiſditz lour ſuthviſcountz clerkes ou baillifs & lour miniſtres toutz autielx enditementz & preſentement priſez devaunt eux ou aſcun deux en lours tournes ou lawedaies deſuis nommez ameſnent preſentent & deliverent a les juſticez du peax au lour proſchein ſeſſion de peax qe ſerra tenuz en le counte ou counteez lou autielx enditementz & preſentementz ſerront priſez devaunt lez ditz juſtices dautiel counte ou countees pur le temps eſteantz. Et ſi aſcun des viſcountez ſuthviſcountez clerkes baillifs & lours miniſtres nameſne delivere & preſente pas toutz autielx enditementz ou preſentementz iſſint priſez devaunt eux & cheſcun deux en lour turnes ou lawedaies come devaunt eſt recitee as tielx ſeſſions de peax devaunt les ditz juſtices de peax qe donqes toutz tielx viſcountez ſuthyiſcountez clerkes baillifs & lours miniſtres & cheſcun deux qi ou queux iſſint fauldra ou fauldront dameignaunce deliverance & preſentation de tieux enditementz & preſentementez forface & forfacent au Roy xl li. a taunt de foitz qe ceux ou aſcun deux ferront ou ferra le contrarie. Et qe les ditz juſtices de peas aient poair & auctorite

to be taken before them or any of them, nor to make or take of any ſuch perſon or perſons ſo indicted or preſented, any fine or ranſom; (4) but that the ſaid ſheriffs, and their under-ſheriffs, clerks, or bailiffs, and their miniſters, ſhall bring, preſent, and deliver all ſuch indictments and preſentments taken before them, or any of them, in their tourns or law-days aforeſaid, to the juſtices of peace, at their next ſeſſions of the peace that ſhall be holden in the county or counties where ſuch indictments or preſentments ſhall be taken, before the ſaid juſtices of ſuch county or counties for the time being: (5) and if any of the ſaid ſheriffs, under-ſheriffs, clerks, bailiffs, and their miniſters, do not bring, deliver, and preſent all ſuch indictments or preſentments ſo taken before them and every of them in their tourns, or law-days, as before is recited, at ſuch ſeſſions of the peace before the ſaid juſtices of peace, that then all ſuch ſheriffs, under-ſheriffs, clerks, bailiffs, and their miniſters, and every of them that ſo ſhall fail in bringing, delivering, and preſenting of ſuch indictments or preſentments, ſhall forfeit to the King forty pounds at every time that they or any of them doth the contrary: (6) and that the ſaid juſtices of peace ſhall have power and authority to award proceſs upon all ſuch indictments and preſentments, as the law doth require, and in like form, as if the ſaid indictments and preſentments were taken before the ſaid juſtices of peace in the ſaid county or counties, and alſo to arraign and deliver all ſuch perſon or perſons

Indictments and preſentments taken in the ſheriffs tourn ſhall be delivered to the juſtices of peace of the ſame county. 11 H. 7. c. 15.

Juſtices of peace ſhall award proceſs againſt them that be indicted in the ſheriffs tourn, and arraign and deliver the offenders.

persons so indicted and presented before the said sheriffs, under-sheriffs, their clerks, bailiffs, and their ministers, or any of them in their tourns or law-days: (7) and all such persons or person which be indicted or presented of trespass, shall make such a fine as shall seem lawful by their discretions; (8) and the estreats of the said fines and amerciaments shall be enrolled, and by indenture be delivered to the said sheriffs, under-sheriffs, their clerks, bailiffs, or ministers, or some of them, to the use and profit of him that was sheriff in the said counties or county at the time of such indictments or presentments taken. (9) And if any of the said sheriffs, their under-sheriffs, clerks, bailiffs, or their ministers, do arrest, attach, or put in prison, or cause any fine or ransom to be taken, or levy any amerciament of any person or persons so indicted or presented, by reason or colour of any such indictment or presentment taken before them at their tourns or law-days above rehearsed, before that they have process from the said justices of peace, or estreats delivered out of the said indictments or presentments so brought, delivered, and presented to them, that then the sheriffs which so do, shall forfeit an hundred pounds, (10) the one half thereof to be employed to the expences of the King's house, and the other half to the party or parties which be or is indamaged, (11) and he or they shall have therefore an action of debt at the common law, and like process as is in an action of debt at the common law. (12) and that the defendant or defendants

The estreats shall be indented and delivered by the justices of the peace to the sheriff.

auctorite dagarder processe sur toutz tielx enditementz & presentementz come la ley requiert & en fourme semblable si come les ditz enditementz & presentementz feussent prisez devaunt les ditz justices de peax en le dit counte ou countees. Et auxi darrainer & deliverer toutz tielx persones ou persone issint enditez & presentez devaunt les ditz viscountez suth-viscountez lour clerkes & bailifs & lour ministrez ou ascun deux en lour ditz tournes ou lawdaies et toutz tielx persones ou persone qe sount ou est enditez ou presentez endite ou presente de trespas defaire oveqe eux & chescun deux tiel fine come loialment par leurs discretions semblera et les estretez de les ditz fines & amerciamentz soient enrollez & par endenture destre deliverez a les ditz viscountz suthviscountz clerkes baillifs ou ministres ou ascun deux al oeps & prouffit celuy qi fuist viscount en ascun countee au temps de les ditz enditementz & presentementz prisez. Et si ascun des ditz viscountez lour suthviscountz clerkes baillifs ou ministres face arester attacher ou mettre en prison ou face faire ou prendre ascun fine raunsom ou lever amerciament dascune persone ou persones ensi enditez ou presentez par reason or colour dascun tiel enditement ou presentement devaunt luy a les tournes ou lawedaies desuis recitez prise avaunt qils ount processe de les ditz justices de peax ou estretez deliverez hors de les ditz enditementz ou presentementz issint ameignez deliverez & presentez as eux qe adonqes lez ditz viscountez qi issint sount forfacent Cli. une

moite

moite dent deſtre emploiez a lez expenſez du loſtell de Roy & lautre moite al partie ou parties qe ou quelx eſt ou ſont endamagez et ait ou aient ent action de dette al commune ley & ſemblable proceſſe come eſt en action de dette al commune ley. Et qe le defendaunt ou defendauntz en tielx ſutes ou actions de dette ne ſoit ou ſoient eſſoinez ne gage ou gagent leur ley. Et ſil ou ceux ou aſcun deux encontre qi ou queux la dite action ſerra priſe offre ou mette offrent ou mettent aſcun protection en enpediment ou retardance de les ditz ſuetes ou actions qil ne ſoit a luy alloue.

Purveu toutz foitz qe ceſt preſent ordeignaunce nextende pas ne ne ſoit prejudiciall en aſcun manere a les viſcountez del cite deLoundrez ore eſteantz ou qenapres aſcun foitz ſerront quaunt as aſcuns enditementez ou preſentementz deſtre priſez deins la dite cite.

Purveu auxi qe ceſt ordenaunce nextende pas ne ne ſoit prejudiciall al aſcun perſone ou perſones qe ad ou ount graunts daſcuns fines ou des aſcuns amerciamentez par aſcuns lettres patentez noſtre dit ſoveraigne ſeignur le Roi ou daſcun de ſes progenitours ou predeceſſours portantz date devaunt le diſme jour deDecembr' proſchein apres le commencement de ceſt parlement. Et qe ceſt ordeignaunce nextende pas ne ne ſoit prejudiciall al aſcune perſone ou perſones aiant ou aiantz aſcuns liberties ou fraunchiſez par aſcuns des ditz lettres patentes ou en autre maner par preſcription. Et qe ceſt ordeignaunce ſoit en ſa force & commence dapprendre effect a la quarantiſme jour proſchein apres le vjme jour de May proſchein

fendants in ſuch ſuits, or actions of debt, ſhall not be eſſoined, nor wage their law; (13) and if he or they, or any of them againſt whom this action ſhall be taken, do offer or caſt any protection, or other impediment, in retardation of the ſaid ſuits or actions, that ſhall not be allowed unto him.

This ſtatute doth not extend to the ſheriffs of London.

II. Provided always, That this preſent ordinance do not extend, nor in any wiſe be prejudicial to the ſheriffs of the city of *London* now being, or which at any time hereafter ſhall be, concerning any indictments or preſentments to be taken within the ſaid city of *London*.

Grants of fines made by the King.

III. Provided alſo, That this act extend not, nor be prejudicial, to any perſon or perſons, which hath grants of any fines or amerciaments by any letters patents of our ſaid ſovereign lord the King, or of any of his progenitors or predeceſſors, bearing date before the tenth day of *December* next after the beginning of this parliament; (2) and that this act and ordinance do not extend, nor be prejudicial, to any perſon or perſons having any liberties or franchiſes by any of the ſaid letters patents, or in any other manner by preſcription. (3) And that this ordinance be in his force, and begin to take effect at the fortieth day next after the ſixth day of *May*, next after the beginning of this preſent parliament, upon the which ſixth day the ſaid parliament was diſſolved.

chein apres le commencement de ceſt preſent parlement le quel ſiſme jour le dit parlement fuiſt diſſolve.

Statutes made at *Weſtminſter*, *Anno* 3 Edw. IV. and *Anno Dom.* 1463.

AT *the parliament ſummoned at* Weſtminſter *the nine and twentieth day of* April, *the third year of the reign of our lord King* EDWARD *the Fourth after the conqueſt, divers ſtatutes and ordinances, to the honour of God, and of holy church, and for the wealth of the King and of his people, by the advice and aſſent of his lords ſpiritual and temporal, and the commons, in the ſaid parliament aſſembled, and by authority of the ſame, were made in the manner and form as followeth.*

AU parlement ſummonez a Weſtm' le xxixe jour dAprell lan du reigne noſtre ſeignur le Roy EDWARD le quart apres le conqueſt tierce diverſes eſtatutez & ordenauncez a lonour de Dieu & ſeint eſgliſe & pur le bien du dit Roy & ſon poeple de ladvis & aſſent des ſeignurs eſpirituelx & temporelx & les communes en le dit parlement eſteantz & par lauctorite de meſme le parlement furent faitez en manere & forme enſuantz.

CAP. I.

No alien ſhall export wool, &c. out of this realm; certain ordinances to be obſerved by denizens in exporting thereof.

Ex edit Raſt. Wools and woolfels.
5 R. 2. ſtat. 1. c. 3.
14 R. 2. c. 6.
4 H. 7. c. 10.

FIRST, becauſe that the chief and principal commodity of this realm of *England* conſiſteth in the wools growing within the ſaid realm, and to the intent that ſufficient plenty of the ſaid wools may continually abide and remain within the realm, which may competently and reaſonably ſerve for the occupation of clothmakers of *England* and of all the members and branches of the ſame, whereby the cities, boroughs, and towns, within the ſame realm fallen in great and pitious deſolation ruin and decay by the occaſion of idleneſs, may be (if God will) multiplied in inhabitation, and by labour reſtored to their ancient joy and proſperity, by which the vices and inconveniences may to the pleaſure of God be avoided: our ſovereign lord the King, in conſideration of the premiſſes, by the advice and aſſent of the lords ſpiritual and temporal, and at the requeſt of the commons aforeſaid, hath ordained and eſtabliſhed, That from the feaſt of St. *John* baptiſt next enſuing, no perſon alien nor ſtranger born, by him or any other for him, privy or apert, ſhall buy or ſhip any manner wools or woolfels, morling or ſhorling, within any part of this realm of *England* or *Wales*, or them or any of them carry out of the ſame realm or *Wales*. Nor that any perſon ſtranger alien or denizen, or any other the King's ſubject, from the ſaid feaſt, ſhall carry any wools, woolfels, morling or ſhorling of the growing of the countries or counties on this ſide the water of *Te* over the ſame water towards the *North*, upon pain of forfeiture of ſuch wools, woolfels,

Shiping of wools.

tels, morling, or ſhorling: the one half thereof to be had to the profit and uſe of our ſaid redoubted ſovereign lord the King, and the other half thereof to the uſe and profit of him or them that ſhall find and lawfully prove ſuch, being ſhiping or carriage contrary to the ſaid ordinance. The wools, woolfels, morling and ſhorling of the growing of the counties called *Aldertonſhire*, and *Richmondſhire* only except. And alſo he hath ordained and eſtabliſhed, That no parcel of the ſaid wools, woolfels, morling or ſhorling, be ſhiped or carried to any other place out of the ſaid realm or *Wales*, but only to the town of *Calais*. Calais.
The wools, woolfels, morling and ſhorling of the growing of the counties of *Northumberland*, *Cumberland*, and *Weſtmorland*, and of the growing of the biſhoprick of *Durham*, betwixt the waters of *Tine* and *Tees*, and of the ſaid counties of *Alderton* and *Richmond* excepted. And if any perſon or perſons do the contrary thereof, or ſhip any wools, woolfels morling or ſhorling, of the growing of any country or county of the ſaid realm of *England*, except before excepted, on this ſide the ſaid water of *Tees* or any port or creek of the ſame water, or in the ſame water, that then he which ſhall ſo ſhip or carry, or do to be ſhiped or carryed, ſhall forfeit and loſe all ſuch wools, woolfels, morling and ſhorling, or the value thereof. The one half of the ſame forfeiture to be applied to the uſe of our ſaid ſovereign lord the King, and the other half to him that ſhall prove ſuch forfeiture and ſeiſe the ſame wools, woolfels, morling and ſhorling. And alſo the ſame our ſovereign lord the King, by the advice and aſſent aforeſaid, hath ordained and eſtabliſhed, That no perſon, after the ſaid feaſt, ſhall ſhip any wools, woolfels, morling or ſhorling, of the growing within any of the ſaid counties of *Northumberland Cumberland* and *Weſtmorland*, or within the ſaid biſhoprick of *Durham*, betwixt the ſaid water of *Tine* and *Tees*, or within the ſaid counties called *Aldertonſhire* and *Richmondſhire*, but only at the town of *Newcaſtle*, upon pain of Newcaſtle.
forfeiture of the ſame wools, woolfels, morling and ſhorling, the one half thereof to our ſaid ſovereign lord the King, and the other half to any of the King's liege people, inhabiting in the town of *Newcaſtle*, which ſhall ſeiſe the ſaid forfeiture to be applied to the uſe and profit of the ſame town. And alſo by the aſſent and authority aforeſaid it is ordained and eſtabliſhed, That no perſon from the ſaid feaſt, privily nor apertly ſhall convey or carry, or do to be conveyed or carried any wools or woolfels out of this realm of *England* or *Wales*, to any other place than to *Calais*, except the wool and woolfels before excepted, upon pain of impriſonment by two years, and to forfeit the value of the ſame wools and woolfels, the one half thereof to be paid to the uſe of our ſaid ſovereign lord the King, and the other half to any of his liege people, which ſhall eſpy ſuch forfeiture and ſue for the ſame. And that he have thereof an action of debt as well for our ſovereign lord the King as for himſelf of the ſaid value of the forfeiture aforeſaid, to be had and purſued in the county where ſuch forfeiture ſhall happen: in which action

the

the defendant ſhall not be received to wage his law, nor no eſſoin nor protection for the ſame defendant to be allowed. And moreover the ſame our ſovereign lord the King hath ordained and eſtabliſhed, by the aſſent and authority aforeſaid, That no merchant of the ſaid ſtaple of *Calais*, by himſelf nor by none other perſon for himſelf, ſhall ſell or utter from the feaſt of St. *Michael* the archangel next enſuing, any wools, woolfels, morling, or ſhorling, or any other merchandiſes of the ſtaple to the ſaid ſtaple, but that he before, or upon the delivery of the ſame, receive and take ready payment and contentation for the ſame wools, woolfels, and other merchandiſes of the ſaid ſtaple in hand, whereof the half part ſhall be in lawful money of *England*, plate or bullion of ſilver or gold, and all the ſame money duly to bring into this realm of *England*: and the plate and bullion ſo received do duly to be coined at the mint of *Calais*. And all the money thereof made and coined, duly bring into *England* within three months next after the aforeſaid ſale, upon pain to forfeit for every ſack of wool v. marks, and for every CC. xl. woolfels otherwiſe ſold five marks. And for the contrary ſale of every half ſack of wool, or any other quantity of wool, and every Cxx. woolfels, and every other number thereof, after the rate and quantity of the ſaid five marks. And that no merchant of the ſaid ſtaple, from the ſaid feaſt of Saint *Michael*, ſhall ſell, utter, nor aliene his property of the ſaid merchandiſes of the ſaid ſtaple, nor no parcel of the ſame, to any place out of this realm, other than to the ſaid ſtaple of *Calais*. Provided always, That if the ſaid money ordained by this ordinance to be brought into this realm, be drowned in the ſea, or taken away by enemies in the ſea, or if the bringing thereof be let by contrary wind or tempeſt: That then if the ſame money, whoſe bringing ſhall be let by ſuch wind or tempeſt, brought into this realm of *England* as ſoon as convenient paſſage for the ſame may be had, then the merchant owner of the ſame ſhall in no wiſe be endamaged by the occaſion of the not bringing the ſame money as afore is ſaid. And moreover becauſe that daily great deceit is done in the winding, wrapping and making fleeces of wool within this realm, by the owners of the ſame wool, by putting in the ſame fleeces locks of wool, and pieces of worſe wool than the fleece is, and alſo putting in the ſame fleeces tarr, ſtones, ſand, graſs, or dirt, to the great damage of the buyer of the ſame wool within this realm of *England*, and to the great reproof and damage of the merchants of this realm of *England*, which carry the ſame wools out of the ſaid realm: our ſovereign lord the King hath ordained and eſtabliſhed by authority aforeſaid, That every perſon within this realm of *England*, that will ſell any wools in any part within the ſame realm of *England* by way of ſale, from the ſaid feaſt of Saint *John* ordained and provided, that the ſame wool be well and lawfully wound, without doing any deceit in the ſame, upon pain to forfeit to the King for every ſuch fleece, in which any ſuch default ſhall be found, ſix pence. And that the juſtices of peace of our ſovereign

Staple of Calais.

Plate and Bullion.

Merchant of the ſtaple.

Winding of wool.

ſovereign lord the King in every county, city, and town of this realm of *England*, have authority and power to enquire of the ſaid deceits in their ſeſſions of peace, and to hear and determine the ſaid defaults as well by due examination as otherwiſe. Moreover he hath ordained and eſtabliſhed by the authority aforeſaid, That no perſon, inhabiting within this realm of *England*, other than merchants ſtrangers, from the ſaid feaſt of Saint *John*, ſhall freight nor charge within this realm of *England* or *Wales*, any ſhip or other veſſel of any alien or ſtranger, with any merchandiſes to be carried out of the ſaid realm of *England* or *Wales*, nor ſhall bring into the ſame, if he may have ſufficient freight in the ſhips or veſſels of denizens of this realm, upon pain to forfeit the ſame merchandiſes, the one half to our ſaid ſovereign lord the King, and the other half to him or them, which ſhall ſeiſe the ſame merchandiſes. And that this preſent ſtatute and ordinance, concerning wools and woolfels, morling and ſhorling, and alſo the receipt of *Bullion* and the bringing in of money, and alſo ſhipping in the ſhips of denizens, ſhall be in their force virtue and ſtrength by three years next following the ſaid feaſts of Saint *John* and Saint *Michael* next coming in all things according to the intent above declared and ſpecified.

Juſtices of peace.

Merchants ſtrangers.

Ships.

CAP. II.

A reſtraint of bringing corn into this realm, until it ſhall exceed certain prices.

WHEREAS the labourers and occupiers of huſbandry within this realm of *England* be daily grievouſly endamaged by bringing of corn out of other lands and parts into this realm of *England*, when corn of the growing of this realm is at a low price: our redoubted ſovereign lord the King conſidering the premiſſes, by the advice, aſſent and authority aforeſaid, hath ordained and eſtabliſhed, That no perſon from the feaſt of Saint *John* the Baptiſt next coming ſhall bring or convey into any place or port of this realm, by way of merchandiſe, nor otherwiſe, any wheat, rye, or barley, which is not of the growing of this land, or of any iſle pertaining to the ſame, or of the growing of the country of *Ireland* or *Wales*, at any time that the quarter of wheat doth not exceed the price of ſix ſhillings eight pence. The quarter of rye doth not exceed the price of four ſhillings. And the quarter of barley three ſhillings of lawful money of *England*, within the place or port where ſuch wheat, rye, or barley ſhall happen to be brought, upon pain of forfeiture of the ſaid wheat, rye, and barley. The one half to the uſe of our ſovereign lord the King, and the other half to him which ſhall happen to ſeiſe ſuch wheat, rye, or barley. Provided always, That this act extend not to any wheat, rye, or barley taken by any of the King's liege people upon the ſea, without fraud or covin.

Corn.

Repealed by 21 Jac. 1. c. 28.

CAP. III.

Whoſoever ſhall bring into this realm any wrought ſilk to be ſold, concerning the myſtery of ſilk-workers, ſhall forfeit the ſame, and x. li.

Silk women.
33 H. 6. c. 5.
22 Ed. 4. c. 3.
1 R. 3. c. 10.
1 H. 7. c. 9.

ITEM, it was ſhewed in this preſent parliament to our ſovereign lord the King, and to the lords of the parliament, by the ſilk-women, and ſpinſters of ſilk within the city of *London*, That divers Lombards and other aliens ſtrangers, imagining to deſtroy their crafts and all ſuch virtuous occupations for women within this land, to the intent to enrich themſelves, and to put ſuch occupations into other lands, daily bringing into this realm of *England* wrought ſilk, wrought ribbands, and laces falſely and deceitfully wrought, corſes of ſilk, and all manner of other things touching the ſame myſteries and occupations ready wrought, and will not bring in any unwrought ſilk as they were wont to do, to the final deſtruction of the ſaid occupations and myſteries: our ſaid moſt redoubted ſovereign lord the King conſidering the premiſſes, by the advice, aſſent, and authority of the lords ſpiritual and temporal, and at the requeſt of the commons aforeſaid, hath ordained, enacted and eſtabliſhed, That if any Lombard, or any other perſon ſtranger or denizen bring or do to be brought by way of merchandiſe any wrought ſilk, thrown ribbands, laces, corſes of ſilk, or any other thing touching or concerning the myſtery of ſilk workers in any part or place of this realm of *England* from beyond the ſea: that then the ſame wrought ſilk, thrown ribbands, laces, corſes, and other things ſo brought and wrought, touching the ſame myſtery, ſhall be forfeit: and that every ſeller of any of the things above named, brought as afore is ſaid, ſhall forfeit for every default ten pound, the one half thereof to be levied and had to the uſe of the expences of the King's houſe, and he that will ſue for the ſame, ſhall have the other half of the ſame forfeiture. And that it be lawful to every perſon or perſons of the King's liege people to have and maintain an action or actions of debt at every time, as well for the ſame forfeiture of the ſaid ten pound, as for the thing ſo forfeit: and proceſs of outlawry in the ſame and all other proceſſes as in an action of debt at the common law, and that in the ſame no protection nor eſſoin to be allowed. And that the mayor of the ſaid city then for the time being, have ſufficient power and authority to aſſign two, three, or four ſufficient and credible men of the ſame city by his diſcretion, to be ſworn upon a book to make due ſearch within the ſame city and the liberty thereof, as often as to them ſhall ſeem expedient of all things had or done contrary to the premiſſes. And they to make due relation to the mayor and aldermen of the ſaid city for the time being, for more plain information in this behalf to our ſaid ſovereign lord the King, and to thoſe perſons which will ſue for the ſame. And that this ſaid ordinance abide and be in his force and take effect at the

Wrought ſilk.

feaſt

feaſt of Saint *Peter* called *Ad vincula* next coming. And this ordinance ſhall endure till the end of five years next enſuing.

CAP. IV.

Certain merchandiſes not lawful to be brought ready wrought into this realm.

ITEM come en le dit parlement par lartificers des meſtiers mainuelx hommes & femmes en la cite de Loundres & autres citeez villez burghs & villages deins ceſt Roialme & Gales inhabitauntz & reſeauntz piteouſment ad eſte monſtre & compleigne coment toutz ceux en general & cheſcun deux ſont graundement empoverez & grevouſment endamagez & prejudicez de lour encrece du mond & vivre cotidian par la graund multitude des divers chaffres & wares a leur meſtiers & occupations apparteignauntez eſteantz pleinement overez & preſt faitz al vende ſibien par les mains deſtraungez eſteantz enemies du Roy come autres en ceſt royalme & Gales de la le mere ameſnez ſibien par merchantz eſtranges come deinſzeins & autres perſones dount la greindre part en ſubſtance eſt deceivable & nient vaillable en regard del occupation ou prouffit daſcuny a cauſe de qoy les ditz artificers par leurs meſtiers & occupations vivre ne poient ſicome es jours paſſez ils ſoloient mes pluſours de ceux ſibien hoſtielx tenauntz come conductz & autres ſervauntes & apprentiſes en graund nombre ceſtuy jour ſont enocupiez & en graund udifte poverte & ruine vivont cheitifment dount pluſours enconveniences ount devaunt ceſt temps avenuz et pluſours enapres ſont ſemblablez avenirs qe Dieu defende ſi remedie ent ne ſoit pur-

ITEM, *whereas in the ſaid parliament, by the artificers of manual occupations, men and women, inhabiting and reſident in the city of* London, *and other cities, towns, boroughs, and villages within the ſame realm of* England *and* Wales, *it hath been piteouſly ſhewed and complained, how that all they in general, and every of them, be greatly impoveriſhed, and much hindred and prejudiced of their worldly increaſe, and daily living, by the great multitude of divers commodities and wares pertaining to their myſteries and occupations, being fully wrought, and ready made to ſale, as well by the hands of ſtrangers, being the King's enemies, as other in this realm and* Wales, *fetched and brought from beyond the ſea, as well by merchant ſtrangers, as denizens and other perſons, whereof the greateſt part in ſubſtance is deceitful, and nothing worth in regard of any man's occupation or profit; (2) by which occaſion the ſaid artificers cannot live by their myſteries and occupations, as they have done in times paſt, but divers of them, as well houſholders as hirelings, and other ſervants and apprentices in great number, be at this day unoccupied, and do hardly live, in great miſery, poverty, and need, whereby many inconveniencies have grown before this time, and hereafter more be like to come (which God defend) if due remedy be not in this behalf provided:* (3) our redoubted ſovereign lord the King, conſidering the premiſſes, and willing in this

The inconveniencies enſuing the bringing of wares readywrought into this realm.

caſe to provide remedy, by the advice, aſſent, and authority aforeſaid, hath ordained, enacted, and eſtabliſhed, That no merchant, born a ſubject of our ſaid lord the King, denizen, or ſtranger, nor other perſon, after the feaſt of Saint *Michael* the archangel next coming, ſhall bring, ſend, nor convey, nor cauſe to be brought, ſent, nor conveyed, into this realm of *England*, and ſeigniory of *Wales*, any of the chaffers, wares, or things underwritten; that is to ſay, any woolen caps, woolen cloths, laces, corſes, ribbands, fringes, of ſilk and of thread, laces of thread, ſilk twined, ſilk in any wiſe embroidered, laces of gold, *Tires of ſilk* or gold, ſaddles, ſtirrups, or any harneſſes pertaining to ſaddles, ſpurs, boſſes of bridles, aundirons, gridirons, any manner of locks, hammers, pinſons, fire-tongs, drippingpans, dice, tenis-balls, points, purſes, gloves, girdles, harneſs for girdles, of iron, latten, ſteel, tin, or of alkemine, any thing wrought of any tawed leather, any tawed furrs, buſcans, ſhoes, galoches, or corks, knives, daggers, woodknives, bodkins, ſheers for taylors, ſciſſars, razors, ſheaths, playing cards, pins, pattins, pack-needles, any painted ware, forcers, caſkets, rings of copper, or of latten gilt, chaffingdiſhes, hanging candleſticks, chaffing balls, ſacring bells, rings for curtains, ladles, ſcummers, counterfeit baſons, ewers, hats, bruſhes, cards for wool, blanch iron thread, commonly called and named *White Wire*, or any of thoſe wares or chaffers, to be uttered and ſold within the ſame realm of *England*,

purveu. Noſtre dit ſoverain ſeignur le Roy les premiſſez conſiderant de ladvis aſſent & auctorite ſuiſditz ad ordeigne & eſtabliie qe null merchant neez ſubgiet du Roi deinſzein neſtraunge ne aſcune autre perſone apres le feſt de Seint Michell larchangell proſchein avenir ameſne maunde ne convoie ne cauſe daſmener maunder ne convoier en ceſt roialme dEngleterre & ſeignourie de Gales aſcuns de ceſtes wares ou choſes deſoubz eſcriptez ceſtaſſavoir aſcuns bonettes lanuz aſcuns draps lanuz laces corſes ribans frenges de ſoie & de file laces de file ſoie enfile ſoie en aſcun maner enbraudez laces dor tires de ſoie ou dor ſellez eſtrivens ou aſcune herneiſe regardant as ſellers eſperons moleins pur freines aundirons gredirnes aſcuns maners ferures martens vulgarement nommez hamers pinſons firetonges drepyngpannes diſes tenys balles pointes laces burſes gauntz ceinctes harneis pur ceinctes de ferre de laton daſſer deſtaine ou de alkemine aſcune choſe overee daſcun quirre tawe aſcun maner pellure tawe huſcons ſolers galoges ou corkes cotels daggers wodeknyves botkyns ſheres pur taillours ciſours raſours ſhethes cardes a juer eſpinges patins agules pur facts vulgarement nommez paknedles aſcune manere ware depeinte forcers caſkettes aneus de coper ſuiſorre ou de laton ou chauffyngdiſhes chaundelers pendauntz ou eſtantz lavours pendantz chauffingballes ſakeringbelles aneus pur curteins ladels ſcomers countrefeit baſyns ewers hattes bruſthes cardes pur laine ou blanc file de ferre vulgarement nome Whitewyre ou aſcuns de ceux

Certain merchandiſes not lawful to be brought into this realm ready wrought.
1 R. 3. c.12.
22 Ed. 4. c.3.

27 Eliz. c.11. This act in force ſo far as it relates to playing cards and dice,
10 Ann. c.19. f. 167. but ſee 3 Geo. 1. c.7.

Enforced as to cards for wool, by 13 & 14 Car.2. c.19.

ceux deſtre utterez & venduz deins ceſt royalme ou Gales par voie de merchandiſe ſur peine de forfeire ceux & cheſcun de ceux a cheſcun foitz & a tauntz de foitz come ils puiſſent eſtre trovez en les mains daſcune perſone ou perſones deſtre venduz lune moite ent au Roi & lautre moite a celuy qi ceo primes ſeiſera pur le Roi meſme la moite iſſint ſeiſie pur le Roi deſtre deliveree par le dit ſeiſour ent a leſchetour del countee ou lieu lou dite ſeiſine ſerra par endentures entre ceux affairez a reſpoundre ent duement en ſon accompt.

Purveu toutz foitz qe ſi aſcuns des ditz wares ou chaffares hors de ceſt terre faitz ſoient ſur le mere priſez ſaunz fraude ou colluſion ou veignent en ceſt roialme ou Gales par voie de wrec qe ceux en nulle manere ſoient compriſez deinz ceſt ordenaunce mes qe les puiſſent eſtre venduz deinz ceſt roialme ou Gales ceſt ordenaunce nient obſtant.

Purveu auxi qe toutz wares & chaffares faitz & overez en Irlond ou Gales puiſſent eſtre ameſnez & venduz en le dit roialme dEngleterre ſicome ils ſoloient devaunt la feiſaunce de ceſt ordenaunce ceſt ordenaunce nient obſtant.

Et auxi ad ordeigne & enacte par lauctorite ſuiſdit qe les maiſtres ou gardeins pur le temps eſteantz de cheſcun arte & meſtier en cheſcun citee burgh ville & village lou aſcun tiel arte ou meſtier eſt uſee ou occupie aient ſufficient poair & auctorite en cheſcun tiel citee burgh ville & village lou que ceux pur le temps eſteantz ſerront maiſtres ou gardeins daſcune tiel arte ou meſtier & le maire dautiel

land, or in the county of *Wales*, by way of merchandiſe, (4) upon pain to forfeit the ſame merchandiſes at every time, and as often as they may be found in the hands of any perſon or perſons to be ſold; the one half of the ſame forfeiture to be paid to the uſe of our lord the King, and the other half to him that will firſt ſeiſe the ſame for the King; (5) the ſame half by him ſo ſeiſed for our lord the King to be delivered by the ſaid ſeiſor thereof to the eſcheator of the county or place where the ſame ſeiſing ſhall be, by indenture betwixt them made, duly to anſwer thereof in his accompt.

A proviſo for ſuch wares as be taken upon the ſea, or by wreck.

II. Provided always, That if any of the ſaid wares or chaffers made out of this land, be taken upon the ſea without fraud or colluſion, or come in this realm of *England*, or the country of *Wales*, by way of wreck, that thoſe be in no wiſe taken within this act or ſtatute, but that they may be ſold within this realm of *England*, or *Wales*, this act or ſtatute notwithſtanding.

Wares made in Ireland or Wales.

III. Provided alſo, That all wares and chaffers made and wrought in the land of *Ireland*, or *Wales*, may be brought and ſold in this realm of *England*, as they were wont before the making of this ſtatute, this act or ſtatute notwithſtanding.

The chief officers of cities, &c. ſhall have authority to ſearch for defective wares.

IV. Alſo our lord the King hath ordained and ſtabliſhed, by the aſſent and authority aforeſaid, That the maſters and wardens for the time being, of every craft and myſtery in every city, borough, town, and village where any ſuch craft or myſtery is uſed or occupied, ſhall have ſufficient power and autho-

authority in every ſuch city, town, borough and village, where they for the time being ſhall be wardens or maſters of any ſuch craft or myſtery, and the mayor of ſuch city, borough, town, or village for the time being, if any mayor be, or the bailiffs or bailiff of any ſuch city, borough, town, or village for the time being, if any baillifs or baillif there be and no mayor, or ſerjeant, or any other officer to them aſſigned by the ſaid mayor, bailiffs, or bailiff, in every ſuch city, borough, town, and village, where any ſuch craft or myſtery is uſed or occupied, where no ſuch maſters nor wardens of any ſuch craft or myſtery be, that the maſters or wardens of the crafts and myſteries of the city, town, borough or village next adjoining to the ſame, and the conſtable of ſuch city, town, borough, or village, ſhall have power and authority to ſearch in their own crafts and myſteries, and in all other crafts and myſteries, uttering by way of ſale any of the aforeſaid wares, as well within cities, boroughs, towns, and villages of the ſame realm of *England*, and of the country of *Wales*, as within the liberties and franchiſe of the ſame cities, boroughs, towns, and villages, at all times reaſonable by the day, at fairs and markets, ſhops open, and warehouſes, all ſuch manner of wares, chaffers, and merchandiſes pertaining to every of their proper crafts and myſteries, which ſhall be made by any alien, artificer, man or woman, or any other perſon or perſons within the ſame realm of *England* or *Wales*, or which at any time

dautiel citee ville burgh ou village pur le temps eſteant ſi aſcun maire y ſoit ou les baillifs ou baillif dautiel citee ville burgh ou village pur le temps eſteantz ſi aſcuns baillifs ou baillif y ſoit ou ſoient & null maire ou ſergeant ou autre officer a ceux aſſigne par les ditz maire baillifs ou baillif & en cheſcun citee ville burgh & village lou aſcun tiel arte ou meſtier eſt uſez ou occupiez en quell nulles tielx maiſtres ne gardeins daſcune tiel arte ou meſtier ſount qe les maiſtres ou gardeins des artes ou meſtiers del citee ville burgh ou village a icelluy prochein adjoignaunt & le conſtable dautiel citee burgh ville ou village aient poair & auctorite de ſercher en lour propres artes & meſtiers & en toutz autres artes & meſtiers uttrantz par voie de vende aſcuns de les ditz chaffares ſibien deinz citees burghs villes & villages de ceſt roialme & Gales come deinz les libertees & fraunchiſes meſmes les citees burghs villes & villages a tout temps reſonable par jour es feires & merchees ſhoppes overtez & warehouſes toutz maners tielx chaffares wares & merchandiſes a cheſcun de lour propres artes & meſtiers appurtenauntz quelles ſerront faitz par aſcun alien artificer homme ou femme ou aſcun autre perſone deinz ceſt roialme ou Gales ou quelles au aſcun temps ſerrount occupiez par aſcun des meſmes les artes ou meſtiers en qiqe mains qils puiſſent eſtre trovez.

Purveu toutz foitz qe les ditz maiſtres gardeins & autres en la dite ordenaunce nomez deſtre ſercheours nentrent pas

en

en aſcun lieu exempt par privilege franchiſe ou cuſtume de faire en icell aſcun ſerche come devaunt eſt dit ſinon par ſurveu daſcun officer de cheſcun autiel lieu iſſint exempt lou aſcun tiel ſerche deſtre fait avi-endra. Et ſi les ditz ſerchours par meſme le ſerche trovent qe tielx chaffares wares ou merchandiſes ou aſcune part ent ne ſoit ou ſoient purez loialx & ables chaffares wares ou merchandiſes & droitement faitz & overez ſicome ils duiſſent eſtre & cco duement prove qe adonqes y lirra as tielx ſercheours de prendre & ſeiſer come choſe forfait toutz tielx chaffares wares & merchandiſes queux iſſint ſerront trovez nient bons purez loialx ou ables ne droitement overez lune moite ent au Roi dapperteigner & lautre moite ent au tielx maiſtres ou gardeins qi iſſint ſerront ſerche & ceo troveront. Et qe ceſt preſent ordenaunce les ditz artificers concernant eſtoiſe & ſoit en ſon force auxi longement come y plerra a noſtre ſeignur le Roy.

Purveu auxi qe ne ceſt ordenaunce & acte ne null autre ordenaunce ou acte fait ou affaire en ceſt preſent parlement extende ne ne ſoit prejudiciall ou damageous a Robert Stillyngton clerk dean del franc chapell du Roy de ſeint Martyn graund de Loundres ne a ſes ſucceſſours du dit chapell enapres pur le temps eſteantz en aſcun manere ne a le dit Robert deane & chapitre de meſme la chapell come en & pur toutz maners privileges libertees fraunchiſes droites & cuſtumes as eux apperteignauntz en aſcun manere devaunt meſme ceſty parlement ne al aſcune pur

time ſhall be occupied by any of the ſaid crafts or myſteries, in whoſe hand ſoever they may be found.

V. Provided alſo, That the ſaid maſters, wardens, and other named in the ſaid ordinance to be ſearchers, ſhall not enter in any place exempt by privilege, franchiſe, or cuſtom, to make in the ſame any ſearch, as is aforeſaid, but by the overſight of ſome officer of every ſuch place ſo exempt, where any ſuch ſearch ſhall happen to be made. (2) And if the ſaid ſearchers by the ſame ſearch do find, That ſuch chaffers, wares, or merchandiſes, or any part thereof, be not pure, lawful, and able chaffers, wares, or merchandiſes, and duly wrought and made, as they ought to be, and that ſufficiently proved, that then it ſhall be lawful to ſuch ſearchers, to take and ſeiſe all ſuch chaffers, wares, and merchandiſes, which ſhall be ſo found not good, pure, lawful or able, nor well wrought, as a thing forfeit; (3) the one half of the ſame forfeiture to be paid to the uſe of our lord the King, and the other half thereof to ſuch maſters or wardens which ſo ſhall make ſearch and find the ſame. (4) And that this preſent ordinance or ſtatute concerning the ſaid artificers ſtand, and be in his force, as long as ſhall pleaſe our ſovereign lord the King.

Wares and merchandiſes that be not lawful, ſhall be forfeit.

Qu. *How far the act continues in force?*

VI. Provided always, That this ordinance and act, nor any other ordinance or act made, or to be made, in this preſent parliament, ſhall extend or in any wiſe be prejudicial or hurtful to *Robert Stillington*, clerk, dean of the free chapel

The liberties of Great Saint Martin's in London reſerved.

chapel of our lord the King, of St. *Martin le Grand* of *London*, nor to his ſucceſſors of the ſaid chaple hereafter for the time being in any manner; (2) nor to the ſaid *Robert*, dean and chapiter of the ſame chaple, as in and for all manner of priveleges, liberties, franchiſes, rights and cuſtoms in any manner pertaining to them before this parliament; (3) nor to any perſon or perſons dwelling or inhabiting, or which ſhall hereafter inhabit and dwell, within the ſanctuary and precinct of the ſame chaple, and eſpecially within the lane commonly called St. *Martin*'s *Lane*.

perſone ou perſones demurantz ou enhabitantz ou qe enapres demuront ou enhabitront deinz la ſeintuarie & procinct de meſme la chapell & ſpecialment deinz la venelle appelle communement ſeint Martyns lane.

5 El. c. 7.
13 & 14 Car. 2. c. 13.

CAP. V.

What kind of apparel men and women of every vocation and degree are allowed, and what prohibited to wear.

Ex edit. Raſt. Apparel. Repealed, 22 Ed. 4. c. 1. 1 H. 8. c. 14. 7 H. 8. c. 6.

ITEM, prayen the commons in the ſaid parliament aſſembled to our ſaid ſovereign lord the King, to reduce to his gracious remembrance, that in the times of his noble progenitors divers ordinances and ſtatutes were made in this realm of *England* for the apparel and array of the commons of the ſame realm, as well of men as of women, ſo that none of them ought to uſe or wear any inordinate and exceſſive apparel, but only according to their degrees: which ſtatutes and ordinances notwithſtanding, for default of puniſhment and putting them in due execution, the commons of the ſaid realm, as well men as women, have worn and daily do wear exceſſive and inordinate array and apparel, to the great diſpleaſure of God, and impoveriſhing of this realm of *England*, and to the enriching of other ſtrange realms and countries, to the final deſtruction of the huſbandry of this ſaid realm: our ſaid ſovereign lord the King, by the advice and aſſent of the ſaid lords, and at the ſpecial requeſt of the ſaid commons aſſembled in the ſaid parliament, and by authority of the ſame, hath ordained and eſtabliſhed, That no knight, under the eſtate of a lord, other than lords children, nor no wife of ſuch knight, from the feaſt of the purification of our lady, which ſhall be in the year of our Lord God one thouſand four hundred ſixty five ſhall wear any manner cloth of gold, or any corſes wrought with gold, or any furr of ſables. And if any ſuch knight do the contrary, or ſuffer his wife or child (the ſame child being under his rule and governance) to do the contrary, that then he ſhall forfeit for every ſuch default xx. li. to the King. And alſo that no bachelor knight, nor his wife, from the ſaid feaſt, ſhall wear any cloth of velvet upon velvet, but ſuch knights which be of the order of the Garter and their wives, upon pain to forfeit to the King's uſe for every ſuch default twenty marks. Alſo that no perſon under the ſtate of a lord, from the ſaid feaſt wear any manner cloth of ſilk, being of the colour of purple, upon pain to forfeit to the King for every

every default x. li. Alſo that no eſquire nor gentleman, nor none other under the degree of a knight, nor none of their wives, except the ſons of lords and their wives, and the daughters of lords, eſquires for the King's body, and their wives, ſhall wear from the ſaid feaſt any velvet, ſatin branched, nor any counterfeit cloth of ſilk reſembling to the ſame: or any corſes wrought like to velvet or ſatin branched, or any furr of ermine, upon pain to forfeit for every default ten marks to the King's uſe. And that no eſquire nor gentleman, nor none other under the degrees above rehearſed, ſhall wear from the ſaid feaſt any damaſk or ſatin except the menial eſquires, ſergeants officers of the King's houſe, yeomen of the crown, yeomen of the King's chamber, and eſquires, and gentlemen having poſſeſſions to the yearly value of xl. li. and their wives, and widows having like poſſeſſions, and the daughters unmarried of perſons having poſſeſſions to the value of a hundred pounds by year, upon pain to forfeit to the King for every default a hundred ſhillings. Provided always, That the ſteward, chamberlain, treaſurer, and comptroller of the King's houſe, and knights for his body and their wives, may wear furrs of ſables and ermines. And that the mayors of the city of *London*, which be or have been, or hereafter for the time ſhall be, and their wives, may wear ſuch array as before is limited to bachelor knights, and to their wives. And that ſuch which be or have been, or for the time ſhall be, aldermen or recorders of the ſame city, and all mayors and ſheriffs of the cities, towns, or boroughs of this realm of *England*, ſuch as be counties corporate, and all mayors and bailiffs of all other cities, and of every of the five ports, and the barons of the ſame ports, ſuch as have been choſen and aſſigned, or hereafter ſhall be choſen and aſſigned to do their ſervice at the coronation of the King our ſovereign lord, or of my lady the Queen. And mayors of boroughs corporate, being ſhire towns, and the mayors and bailiffs of *Colcheſter* and *Lynn*, and the recorders of the ſaid cities, boroughs and towns, being counties corporate, and of all other cities now being recorders, or which have been or in time to come ſhall be, and the aldermen of the ſame and their wives in like manner, may uſe and wear ſuch array as before is limited to eſquires and gentlemen before ſpecified, having poſſeſſions to the yearly value of forty pounds. And alſo our ſaid ſovereign lord the King hath ordained and ſtabliſhed in this preſent parliament, That no man but ſuch as have poſſeſſions to the yearly value of forty pounds or above, ſhall wear from the ſaid feaſt any furr of martrons letuſe pure gray or pure myniver, nor no wife, ſon, daughter, nor ſervant of any man, (the ſame ſon or daughter being in his rule and governance) nor no widow but ſuch as hath poſſeſſions of the ſaid yearly value of forty pounds, ſhall uſe nor wear any of the ſaid furrs, or any girdle garniſhed with gold or ſilver, in any part of the ſame gilt, or any corſe of ſilk made out of this realm of *England*, or any coverchiefs, whereof the price of a plite ſhall exceed the ſum of iii. ſhillings four pence, upon pain to forfeit to the King for every

every default thereof, five marks. Provided always, That the ſaid menial eſquires, ſergeants, officers of the King's houſe, yeomen of the crown, yeomen of the King's chamber, and eſquires and gentlemen, having poſſeſſions of the ſaid yearly value of forty pound, and the aforeſaid mayors, recorders, aldermen, ſheriffs, and bailiffs of every of the ſaid cities, towns, and boroughs, and the ſaid barons of the five ports of the realm of *England*, and alſo their wives may wear the ſaid furrs of martrons, foyns, letuſe, pure gray, or pure miniver, and alſo that their ſaid wives may uſe and wear gilt girdles, and coverchiefs, of the price of five ſhillings the plite. Moreover, he hath ordained and ſtabliſhed, That no man but ſuch as hath poſſeſſions of the yearly value of xl s. ſhall wear in array for his body, from the ſaid feaſt, any fuſtian, buſtian nor fuſtian of *Naples*, ſcarlet, cloth in grain, nor no furr but black or white lamb. All mayors, aldermen, ſheriffs, barons of the five ports, bailiff of cities and boroughs, and other before provided and their wives, and the menial ſervants of yeomens degree, of lords and knights, eſquires, and other gentlemen having poſſeſſions of the ſaid yearly value of forty pounds, except upon pain of forty ſhillings to be forfeit to the King for every ſuch default. Alſo he hath ordained and ſtabliſhed, That no yeoman, nor none other perſon under the ſame degree, from the ſaid feaſt of St. *Peter* called *ad vincula* which ſhall be in the year of our Lord M.CCCC. lxv. ſhall uſe nor wear in array for his body, any bolſters nor ſtuffing of wool, cotton, nor cadas, nor any ſtuffing in his doublet, but only lining according to the ſame, upon pain to forfeit to the King's uſe for every ſuch default ſix ſhillings and eight pence. Alſo our ſaid ſovereign lord the King, by the advice and aſſent aforeſaid, hath ordained and ſtabliſhed, That no knight, under the eſtate of a lord, eſquire, gentleman, nor none other perſon, ſhall uſe or wear from the feaſt of *All Saints*, which ſhall be in the year of our Lord M.CCCC.lxv. any gown, jacket, or coat, unleſs it be of ſuch length that the ſame may cover his privy members and buttocks, upon pain to forfeit to the King for every default twenty ſhillings. Alſo by the aſſent aforeſaid, it is ordained, That no taylor after the ſaid feaſt, ſhall make to any perſon, any gown, jacket, or coat of leſs length, or doublet ſtuffed contrary to the premiſſes, upon the ſame pain for every default. And alſo hath ordained and ſtabliſhed, in the ſaid preſent parliament, That no knight under the ſtate of a lord, eſquire, gentleman, nor other perſon, ſhall uſe nor wear, after the ſaid feaſt of St. *Peter*, any ſhoes for boots having pikes paſſing the length of two inches, upon pain to forfeit to the King for every default, three ſhillings and four pence. And if any ſhoemaker make any pikes of ſhoes, or boots after the ſaid feaſt of St. *Peter*, to any of the ſaid perſons, contrary to this ordinance, he ſhall likewiſe forfeit to the King for every default four ſhillings four pence. Alſo he hath ordained and ſtabliſhed, by the advice and aſſent aforeſaid, That no ſervant of huſbandry, nor no common labourer nor ſervant, nor

any

any artificer dwelling out of a city or borough, after the ſaid feaſt of *All Saints*, ſhall uſe nor wear in their clothing any cloth, whereof the broad yard ſhall paſs the price of two ſhillings, nor that any of the ſaid labourers nor ſervants ſuffer any of their wives to wear after the ſame feaſt, any cloathing of higher price than before is limited to their huſbands, nor that they ſuffer any of their ſaid wives, after the ſame feaſt, to wear any coverchiefs, whereof the price of the plite ſhall paſs twelve pence, nor that none of the ſame ſervants nor labourers, after the ſame feaſt, ſhall wear any cloſe hoſen, whereof the pair ſhall paſs in price fourteen pence, nor that the ſame ſervants nor labourers, nor none of their wives, from the ſaid feaſt, ſhall wear any girdle garniſhed with ſilver, upon pain to forfeit for every default to the King three ſhillings four pence. And becauſe that coverchiefs daily brought into this realm do induce great charge and coſt in the ſame, and in effect in waſte, our ſaid ſovereign lord the King, by the authority aforeſaid, hath ordained and ſtabliſhed, That no perſon, after the feaſt of St. *Michael* the archangel, which ſhall be in the year of our Lord one thouſand five hundred ſixty five, ſhall ſell in any part within this realm, any lawn, niefles, umple, or any other manner of coverchiefs, whereof the plite ſhall exceed ten ſhillings, upon pain to forfeit to the King for every plite ſold at an higher price, thirteen ſhillings and four pence. Alſo he hath ordained and ſtabliſhed, That the juſtices of peace of every county, mayors of cities and boroughs within this realm, ſhall have authority and power, to enquire, hear and determine all and every of the ſaid defaults and forfeitures, as well by enquiry, as by due examination of every of the ſaid offenders contrary to this ordinance. And the matters and cauſes concerning the ſaid offences and forfeitures to determine by like proceſs and in like manner and form before attainder in this behalf as is commonly uſed by them of a treſpaſs done with force and arms againſt the King's peace, and after the attainder like execution. And if any matter, touching any of the ſaid offences, be removed of any of the ſaid juſtices of peace, or mayors, before the King, that then the juſtices aſſigned for pleas before the King to be holden, ſhall have power to award ſuch proceſs and execution in this behalf, as before is limited. Alſo he hath ordained and ſtabliſhed, That all the ſaid forfeitures, and every of them, ſhall be levied, applied, and employed to the uſe and expences of the King's houſe. Provided always, That this ſtatute of array be in no wiſe prejudicial or hurtful to any perſon, of and for wearing of any ornament, veſture, or apparel in doing of divine ſervice, and attending to the ſame. Nor that this ordinance extend to the juſtices of any bench of our ſovereign lord the King, maſter or warden of the rolls, maſter of the King's chancery, barons of the King's exchequer, nor chancellor of the ſame, which now be, or hereafter ſhall be, nor to any of them. Provided alſo, That the ſcholars of the univerſities of this realm and ſcholars of any univerſity out of this realm, may wear ſuch array as they may

wear

wear by the rule of the ſaid univerſities, notwithſtanding this ordinance. Provided alſo, That henchmen, heralds, purſuivants, ſwordbearers to mayors, meſſengers, and minſtrels, nor none of them, nor players in their interludes, ſhall not be compriſed within this ſtatute. Nor no perſons as for wearing of any purſes, broches, or crowns for caps of children, ſhall be compriſed within the ſame. Provided alſo, That this ordinance do in no wiſe extend to any manner of array neceſſarily to be worn in war, or in the feats of the ſame.

Statutes made at *Weſtminſter*, *Anno* 4 EDW. IV. and *Anno Dom.* 1464.

OUR *lord King* Edward *the Fourth after the conqueſt, at his parliament ſummoned at* Weſtminſter *the nine and twentieth day of* April, *in the third year of his reign, and by divers prorogations and adjournments continued till the one and twentieth day of* January, *in the fourth year of his ſaid reign, on the ſame one and twentieth day of* January, *to the reverence of God, and for the wealth of him and his people, by the advice and aſſent of his lords ſpiritual and temporal, and at the ſpecial requeſt of his commons being in the ſaid parliament, hath ordained and eſtabliſhed certain ſtatutes and ordinances in manner and form following.*

NOSTRE ſeignur le Roy *Edward* puis le conqueſt quart a ſon parlement ſummonez a Weſtm' le xxix. jour dAprill lan de ſon reigne tierce & par diverſes prorogations & adjornments juſqes le xxj. jour de Janiver lan de ſon reigne quart continuez meſme le xxj. jour de Janiver al reverence de Dieu & pur le bien de luy & ſon people de ladvis & aſſent des ſeignurs eſpirituelx & temporelx & a ſpeciall requeſt de ſez communez en ſon dit parlement eſteantz & par lauctorite de meſme le parlement fiſt ordeigner & eſtablier certeins eſtatutes & ordenaunces en la fourme qenſuit.

CAP. I.

The length and breadth of cloths made to be ſold. No cloths wrought beyond ſea ſhall be brought into England.

The inconveniencies which have enſued to this realm by the deceitful making of cloth. 1 R. 3. c. 8.

FIRST, *Whereas many years paſt, and now at this day, the workmanſhip of cloths, and things requiſite to the ſame, is and hath been of ſuch fraud, deceit, and falſity, that the ſaid cloths in other lands and countries be had in ſmall reputation, to the great ſhame of this land; (2) and by reaſon thereof a great quantity of cloths of other ſtrange lands be brought*

EN primes pur ceo qe come pluſours ans paſſez il ad eſte & en ceſtes jours il eſt qe loveraigne de draps & les membres & requiſites a icell fuiſt & eſt de tiel fraude deceite & faulxine qe le dit draps es parties dautres terres neſt pas eue en aſcune reputation en graunt hount de ceſt terre & par encheſon de ceo draps dautres eſtraun-

eſtraunges terres ſont ameſnez en graund quantite en meſme le Roialme & illeoqes venduz del hault & exceſſive price monſtrant clerement loffenſe defaute & faulxine en la faiſance de draps du laine de ceſt terre noſtre dit ſeignur le Roy pur la remument de les premiſſes & en preferrement de tielx labours & occupations quelles ount eſte uſez par la feiſance du dit draps de ladvis aſſent requeſt & auctorite avauntditz ad ordeigne & eſtablie certeinz ſtatutz & ordenaunces es manere & fourme enſuantz. Primerement ordeignez eſt & eſtablie par lauctorite ſuiſdit qe cheſcun entier drap lanutz appellez brode cloth qe ſerra fait & mis a vend a le feſt de ſeint Pier appelle ladvincle qi ſerra en lan de ſeignur mille CCCCIxv. apres plein enewance rakkyng ſtreynyng ou tenturyng dicell preſt a vende teigne & conteigne en longeur xxiiij. aulnes & a cheſcun aulne un pouz conteignant la laeure du pouz lomme deſtre meſurez par la creſt de meſme le drap & en laeur ij. aulnes ou vij. quarters au meins deinz les liſtes et ſi le dit drap ſoit pluis long en meſure qe les ditz xxiiij. aulnes & les pouz donqe lachatour dicell paiera al vendour pur ceo qe lexcede autiel meſure de xxiiij. aulnes ſolonc la rate de la meſure deſuis ordeignez.

Auxi ordeignez eſt & eſtablie par lauctorite ſuiſdit qe toutz maners draps appelles ſtreites deſtre faitz & miſes a vend puis le dit feſt apres plein enewance rakkyng ſtreinyng ou tenturyng dicell preſt al vend teigne & conteigne en longeur xij. aulnes & les pouz ſolonc

brought into this realm, and here ſold at an high and exceſſive price, evidently ſhewing the offence, default, and falſhood of the making of woolen cloths of this land; (3) our ſaid lord the King, for the remedy of the premiſſes, and to the preferment of ſuch labours and occupations which have been uſed by the making of the ſaid cloths, by the advice, aſſent, and requeſt, and authority aforeſaid, hath ordained and eſtabliſhed certain ſtatutes and ordinances in manner and form enſuing. (4) Firſt, That every whole woolen cloth, called broad cloth, which ſhall be made and ſet to ſale after the feaſt called Saint *Peter ad Vincula*, which ſhall be in the year of our Lord M.CCCC.LXV. after the full watering and racking, ſtraining, or tenturing of the ſame ready to ſale, ſhall hold and contain in length xxiv. yards, and to every yard an inch, containing the breadth of a man's thumb, to be meaſured by the creſt of the ſame cloth; and in breadth ii. yards, or vii. quarters at the leaſt within the liſts. (5) And if the ſaid cloth be longer in meaſure than the ſaid xxiv. yards and the inches, then the buyer thereof ſhall pay to the ſeller for as much as doth exceed ſuch meaſure of xxiv. yards, according to the rate of the meaſure above ordained.

The length and breadth of broad cloths. Rep. 5 & 6 Ed. 6. c. 6.

II. And it is enacted and eſtabliſhed by the authority aforeſaid, That all manner of cloths called ſtreits, to be made and put to ſale after the ſame feaſt, after the full watering and racking, ſtraining or tenturing thereof, ready to ſale, ſhall hold and contain in length

The length and breadth of ſtreits

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xii. yards and the inches, according to the meaſure aforeſaid, and in breadth one yard within the liſts.

The length and breadth of kerſeys.

III. Alſo it is ordained and eſtabliſhed by the authority aforeſaid, That every cloth called kerſey, to be made and put to ſale after the ſaid feaſt, after the full watering, racking, ſtraining, or tenturing the ſame ready to ſale, ſhall hold and contain in length xviii. yards and the inches, as is aforeſaid, and in breadth one yard and a nail, or at the leaſt one yard, within the liſts.

Half cloths.

IV. Alſo it is ordained and eſtabliſhed by the authority aforeſaid, That every half cloth of every of the ſaid whole cloths, ſtreits, and kerſeys, ſhall keep his meaſure in length and breadth according to the rate, form, and nature of his whole cloth aforeſaid. (2) And that no perſon which ſhall make, or cauſe to be made, any woolen cloth to ſell after the ſaid feaſts, ſhall mingle, or put in or upon the ſame cloth, nor the wool whereof the ſaid cloth ſhall be made, any lambs wool, flocks, or cork, in any manner, upon pain to forfeit xx s. for every cloth or half cloth, wherein or whereupon any ſuch lambs wool, flocks, or cork, ſhall be put or mingled; (3) the one half thereof to be to the King, and the other half to him that will ſeiſe the ſame cloth, and duly prove the ſame to be made contrary to this ordinance: (4) But it ſhall be lawful for him to make cloth of lambs wool by itſelf, without mingling with any other wool; (5) except alſo that cork may be uſed in dying upon woaded wool, and

Lambs wool, flocks, or cork, ſhall not be put into cloth but for certain cauſes. By 7 Ed. 4. c. 2. flocks may be put into cloth in the hundreds of Liſton, Taviſtock, and Rowburgh in Devon.

ſolonc la meſure avauntdit & en laeure une aulne deinz les liſtes.

Auxi ordeignez eſt & eſtablie par lauctorite ſuiſdit qe cheſcun drap appelle kerſeie deſtre fait & miſe a vend puis le dit feſt apres plein enewance rakkyng ſtreynyng ou tenturyng dicell preſt al vend teigne & conteigne en longeure xviij. aulnes & les pous come devaunt eſt dit & en laeure une aulne & la naile ou au meins une aulne deinz les liſtes.

Auxi ordeignez eſt & eſtablie par lauctorite ſuiſdit qe cheſcun dimi drap de cheſcun de les entiers draps ſtreites & kerſeis garde ſa meſure en longeur & laeure ſolonc la rate fourme & nature de ſon entier drap avauntdit. Et qe nulle perſone qe ferra ou affaire ferra aſcun manere drap lanuz au vend a le dit feſt melle ou mette en ou ſur meſme le drap ne en la leine dont le dit drap ſerra fait aſcune leine dagnell flokkes ſeu ou cork en aſcun manere ſur peine de forfeiture de xx s. pur cheſcun drap ou dimi drap en quell ou ſur quell aſcun tiel laine dagnell flokkes ſeu ou cork ſerra ou ſerront mis ou mellez lune moite ent de remainer a Roy & lautre moite ent a celuy qi ſeiſera aſtiel drap & duement provera icell eſtre fait contrarie a ceſt ordenaunce forſpriſe qil liſera de faire du laine dagnell par luy meſme ſaunz aſcune commixtion oveſqe aſcune autre laine forſpriſe auxi qe cork poet eſtre uſee en tincture ſur laine waidez & auxi en tincture de tout tiel drap qeſt tantſoulement faite de laine waidez iſſint qe meſmes les laine & drap ſoient parfitement coictz & maderez

derez forſpriſe auxi qe cork poet eſtre miſe ſur drap qe eſt parfitement coicte & madere.

Auxi ordeignez eſt & eſtablie qe cheſcun de les ditz draps & dimi draps purſue & ſue parfitement & droitment une ordre doveraigne parmy a une fine juſqes lautre ſaunz diverſite en texture fullure knottyng ou burlyng et en cas qe aſcune autiel diverſite ou rawe ſkawe cokell ou fagge aveigne deſtre en aſcun part des ditz draps ſtreites ou kerſeies qe adonqes une ſeale de plumb pur icell ordeigner & par le treſorer dEngleterre pur le temps eſteant aviſer ſoit mis & pende en lextreme part del margine de meſme le drap ſtreite ou kerſeie pur coigniſaunce & entendement deſtre euez a lachatour dicell et qe cheſcun de les ditz draps ſtreite & kerſeie de longeure & laeure avauntditz & auxi del perfection ſuiſdit ſoit a le feſt de ſeint Peere ladvincle enſeale al fine dicell ovec une double print en plumb par le dit treſorer ſemblement deviſer & ordeigner en teſmoigne & recorde de les avauntditz foiall longeur laeure & perfection. Et ſi aſcun des avauntditz draps ſtreites ou kerſeis ne conteigne mie lavauntditz laeur & longeur ou ne ſoit mie del perfit overaigne avauntdit & les deux parties des meſmes les draps ſtreites ou kerſeies ſoien del verrai & perfit overaigne avauntdit gardauntz les ditz longeure & laeure qe adonqes cheſcun tiel drap ſtreite & kerſeie ſoit enſeale ove les avauntditz ſeales en la fourme avauntdit. Et qe cheſcun dimi drap & drap conteignaunt greindre longeur qe le dimi drap & meindre longeur qe lentier drap

and alſo in dying of all ſuch cloth that is only made of woaded wool, ſo that the ſame wool and cloth be perfectly boiled and madered; except alſo, that cork may be put upon cloth which is perfectly boiled and madered.

V. And it is ordained and enacted, That every of the ſaid cloths and half cloths ſhall perfectly and rightly purſue and follow one order of workmanſhip from one end to the other, without difference in the weaving, fulling, knotting, or burling; (2) and in caſe any ſuch difference, or raw or ſkaw cokel or fagge happen to be in any part of the ſaid cloths, ſtreits, or kerſeys, that then a ſeal of lead therefore ordained, and by the treaſurer of *England* for the time being provided, ſhall be ſet and hanged in the loweſt part of the edge of the ſame cloth, ſtreit, or kerſey, for perfect knowledge to be had to the buyer thereof. (3) And that every of the ſaid cloths, ſtreit, and kerſey of the length and and breadth aforeſaid, and alſo of the ſaid perfection, ſhall be from the feaſt of St. *Peter ad Vincula* ſealed at the end of the ſame with a double print in lead, deviſed and ordained by the ſaid treaſurer, in teſtimony and witneſs of the foreſaid true length, breadth, and making. (4) And if any of the foreſaid cloths, ſtreits, or kerſeys, do not contain the foreſaid length and breadth, or be not of the perfect workmanſhip aforeſaid, and the two parts of the ſame cloths, ſtreits, or kerſeys, be of the true and perfect workmanſhip aforeſaid, keeping their ſaid length and breadth, that

Cloths ſhall perfectly purſue one order of workmanſhip.

A ſeal of lead ſhall be ſet upon faulty cloth. Altered by 5 & 6 Ed. 6. c. 6.

Cloth lawfully made ſhall be ſealed with a double print in lead. Altered by 17 Ed. 4. c. 5.

Sealing of cloth which is leſs than a whole cloth, and longer than a half cloth.

that then every ſuch cloth, ſtreit, and kerſey ſhall be ſealed with the ſaid ſeals in the form aforeſaid. (5) And that every half cloth containing greater length than the half cloth, and leſs length than the whole cloth, of the ſorts of the cloths aforeſaid, being of the ſame perfect workmanſhip and breadth, ſhall be ſealed with a ſeal printed in lead, having a mark differing from both the ſeals aforeſaid, in teſtimony and witneſs of the true length, breadth, and making of the half cloth. (6) And if any woolen cloth of any ſorts of the cloths before recited, perfectly made, and having breadth after the ſort before limited, containing three yards and an half, or more or leſs than the half cloth, be put to ſale after the ſaid feaſt; the ſame cloth ſhall be ſealed with a ſeal printed in lead, having a mark differing from any of the ſaid ſeals, for a knowledge to be had of the default of the half cloth; (7) the ſaid ſeals to be deviſed and ordained by the ſaid treaſurer, and to be put at the end of every of the half cloths, and cloths leſs than half

The lord treaſurer ſhall make as many keepers of the cloth ſeal as he will.

cloths. (8) Alſo by the advice, aſſent, and authority aforeſaid, it is ordained and eſtabliſhed, That the treaſurer of *England* for the time being, ſhall have power and authority to make ſuch and as many keepers of the ſaid ſeals, as he ſhall think neceſſary, ſo that no ſtranger born be made any of the ſaid keepers. (9) And that every of the ſaid keepers ſo to be made, ſhall accompt yearly of the revenues of their ſaid offices in the ſaid exchequer before the treaſurer of *England*, and the barons there for

drap de les ſortes des draps avauntditz eſteantz del perfit overaigne & laeur avauntditz ſoit enſeale oveqe une ſeale empreſſez en plumb eiant ſigne different a lune & lautre des ditz ſeales en teſmoigne & recorde de verraiz longeur laeur & perfection de dimi drap. Et ſi aſcun drap lanuz daſcun de les ſortes de les draps avaunt recites parfitment fait & eiant laeur ſolonc ſon ſorte avaunt limites conteignaunt trois aulnes & dimi ou plus meins qe le dimi drap ſoit mis a vend apres le dit feſt qe meſme le drap ſoit enſeale ovec ung ſeale empreſſez en plumbe eiant ſigne differente a cheſcuny de les ditz ſeales pur coigniſaunce deſtre eue del defaute de dimi drap les ditz ſeales a eſtre deviſez & ordeignez par le dit treſorer & eſtre mis al fine de cheſcun des les dimi draps & draps meindres qe dimi draps. Auxi par ladvis aſſent & auctorite ſuiſditz ordeignez eſt & eſtablie qe le treſorer dEngleterre pur le temps eſteant aiet poair & auctorite de faire tielx & tauntz gardeins de les ditz ſeales come luy ſemblera neceſſarie. Iſſint qe null eſtraunge neez ſoit fait aſcun de meſmes les gardeins. Et qe cheſcun des ditz gardeins enſi affairs accompte annuelment de les revenuz de lour ditz offices en le dit eſchequer devaunt les treſorer dEngleterre & barons illeoqes pur le temps eſteantz duement monſtrant en les meſmes accomptes le nombre de toutz draps dimi draps ſtreites & kerſeis par eux enſealez oveqe les nouns de les poſſeſſours diceux cheſcun de meſmes les gardeins a eſtre guerdonnez annuelment

a ſon

a ſon dit accompt pur ſez labour & diligence en cel partie euez al receipt du dit eſchequer par la diſcretion de les ditz treſorer & barons ſaunz aſcun paiement daſcune choſe en le dit eſchequer en ou pur la faiſance de ſon dit accompt. Et en cas aſcun de les ditz gardeins enſeale aſcun de les avauntditz draps oveqe aſcun autre ſeale ou aſcun de meſmes les draps autrement faitz qe par les manier & ordenaunce deſuis eſpecifiez et ceo par ſufficient prouf & examination monſtrez & approvez devaunt les ditz treſorer & barons par les ditz depoſition teſmoigne & record de tielx ſufficientz perſones de bon & due reputation queux ont prompt experience en texture fullure & faiſure de draps ou ſi meſme le gardein refuſe denſealer aſcun de les ditz draps faitz accordaunt a les meſmes manere & ordenaunce ou ſi aſcun tiel gardein ou aulnour preigne a le dit feſt pur le Roy daſcune perſone pur lenſealer ou aulnage daſcun manier drap aſcun autre ſomme de monoie qeſt conteinuz es ſtatutz & ordenaunces devaunt ceſt temps ent faitz & nient repellez ou ſi aſcun tiel gardein ou aulnour a le dit feſt refuſe de monſtrer ſa commiſſion de ſon office au aſcune perſone ceo deſirant ſur lenſealer ou meſurement daſcun de les draps avauntditz & ceo examinez & duement provez qe adonqes il a tauntz de foitz come il en aſcun de les premiſſez offende la ſomme de xxs. forfacera lune moite ent au Roy & lautre moite a la partie provant la dit offenſe en icell par ſuite dent eſtre eue devant les ditz tre-

for the time being, duly ſhewing in the ſame accompts the number of the cloths, half cloths, ſtreits, and kerſeys ſealed by them, with the names of the owners of the ſame; (10) every of the ſame keepers to be rewarded yearly at his ſaid accompt for his labour and diligence had in this behalf at the receipt of the ſaid exchequer, by the diſcretion of the ſaid treaſurer and barons, without payment of any thing in the ſaid exchequer in or for the making of his ſaid accompt. (11) And in caſe any of the ſaid keepers do ſeal any of the aforeſaid cloths with any other ſeal, or any of the ſame cloths otherwiſe made than according to the manner and ordinance above ſpecified, and that by ſufficient proof and examination ſhewed and approved before the ſaid treaſurer and barons by the ſaid depoſition, teſtimony and witneſs of ſuch ſufficient perſons of good and due reputation, which have had prompt experience in weaving, fulling, and making of cloths; or if the ſame keeper do refuſe to ſeal any of theſe cloths, made according to the the ſaid manner and ordinance; or if any ſuch keeper or aulneger do take after the ſaid feaſt, for the King, of any perſon, for the ſealing or meaſuring of any ſorts of cloth, any other ſum of money than is contained in the ſtatutes and ordinances made before this time, and not repealed; or if any ſuch keeper or aulneger, after the ſaid feaſt, do refuſe to ſhew his commiſſion of his office to any perſon deſiring the ſame upon the ſealing or meaſuring of any ſuch cloths before rehearſed;

The accompt of the keepers of the ſeal, and their reward.

The penalty of the keeper of the ſeal for omitting his duty.

and that examined and duly proved, that then he, as often as he ſhall offend in any of the premiſſes, ſhall forfeit the ſum of xx s. the one half thereof to the King, and the other half to the party proving the ſaid offences therein by ſuit to be made before the ſaid treaſurer and barons, by bill of debt in the ſaid exchequer, in which bill like judgment and execution ſhall be had, as is accuſtomably had and uſed againſt other accomptants in the ſame exchequer. (12) And that theſe ſtatutes and ordinances, and other ſtatutes and ordinances made before this time, and not repealed, concerning any of the premiſſes, ſhall be contained and ſpecified in every commiſſion to be made to every ſuch keeper or aulneger after the ſaid feaſt. (13) Alſo whereas before this time in the occupations of cloth-making, the labourers thereof have been driven to take a great part of their wages in pins, girdles, and other unprofitable wares, under ſuch price that it did not extend to, and alſo have delivered to them wools to be wrought by very exceſſive weight, whereby both men and women have been diſcouraged of ſuch labour; (14) therefore it is ordained and eſtabliſhed by the authority aforeſaid, That every man and woman being cloth-makers, from the ſaid feaſt of St. *Peter*, ſhall pay to the carders, ſpinſters, and all ſuch other labourers, in any part of the ſaid trade, lawful money for all their lawful wages, and payment of the ſame; (15) and alſo ſhall deliver wools to be wrought according to the faithful

A clothier ſhall pay to his work-folks ready money, and ſhall deliver them wool according to the weight.

treſorer & barons par bille de dette en le dit eſchequer en quel bille autielx bille & execution ſoient euez queux ſont uſuelment uſez & euez envers autres accomptantz en meſme leſchequer. Et qe ceſtz eſtatuitz & ordenauncez & autres ſtatuitz & ordenauncez devaunt ceſt temps faitz nient repellez concernantz aſcuns de les premiſſes ſoient conteignuz & eſpecifiez en cheſcun commiſſion au cheſcun tiel gardein ou aulnour apres le dit feſt affaire. Et auxi lou par cy devaunt en les occupations del faiſance de drap les labourers dicell ount eſte chacez de prendre graund part de lour gages en eſpinges ceincts & autres enprofitables merchandiſes deſoubtz tiel price qe nextende pas a lextent de lour loialx gagez et auxi ount deliverez a ceux laines deſtre overez par trop exceſſive pois quell ad enchaſe & enchaſe hommes & femmes en diſcorage dautiel labour pur ceo ordeignez eſt & eſtablie par lauctorite ſuiſdit qe cheſcun homme & femme faiſour de draps a le dit feſt de ſeint Peere paie as cardours cardoreſſes filereſſes & toutz autres les laborers daſcun membre dicell loiall moneie pur toutz lour loialx gages & paiement del meſme & auxi delivere laines eſtre overez accordant a la foiall livre & due pois ſur peine de forfeiture a meſme le laborer de treble de ſes ditz gages iſſint nonpaiez a tauntz foitz come le dit faiſour de drap refuſe de paier en les manier & fourme au aſcun tiel laborer par luy mis a loccupation en aſcun de les ditz membres del faiſance de drap &

auxi

auxi de forfeire a meſme le laborer pur cheſcun li. dexceſſive & deloiall pois a luy deliverez deſtre overez vj. d. a cheſcun defaute.

Et auxi eſt ordeigne par lauctorite ſuiſdit qe cheſcun cardour cardoreſſe filereſſe tiſeour fullour tondour de drap & tinctour face duement ſon labour en ſa occupation ſur peine de rendre a la partie endamagez en cell partie doubles damages et qe cheſcun fullour de le dit feſt de ſeint Peere en ſa arte & occupation de fuller & ſcalpier ou tezeiler de drap exerciſe & uſe teizels & nulls cardes meſme le drap deceivablement enpeirant ſur peine de rendre a la partie endamage doublez damagez. Et qe cheſcun juſtice de peas pur le temps eſteant de cheſcun countee de ceſt roialme par tut le countee hors des citees burghs & villes lou maire maiſter gardein bailliff ou baillifs eſt ou ſont et cheſcun mair lou mair eſt & cheſcun maiſter lou null mair eſt cheſcun bailliff ou baillifs lou null mair ne maiſter eſt cheſcun portrefe lou null maire maiſter baillif ou baillifs eſt ou ſont de cheſcun citie burgh & ville deinz cheſcun tiel countee avauntdit et cheſcun coneſtable de hundred lou coneſtable de hundred eſt hors de cheſcun citee burgh & ville lou aſcun maire maiſter baillif ou bailliffs ou portrefes eſt ou ſont et cheſcun ſeneſchall gardant ou teignaunt wapentak ou lete daſcune perſone hors de citee burgh ou ville lou null maire maiſter baillif ou baillifs ou portrefes eſt ou ſont ait & aient poair & auctorite par ceſt ordenaunce doier & terminer les compleintes de cheſcun tiel faiſour

ful delivery and due weight thereof, upon pain of forfeiture to the ſame labourer the treble of his ſaid wages ſo not paid, as often as the cloth-maker doth refuſe to pay the ſame in the ſaid manner and form to any ſuch labourer, put by him to the occupation in any of the ſaid parts of cloth-making; (16) and alſo to forfeit to the ſame labourer, for every delivery of exceſſive and unlawful weight to him committed to be wrought, vi. d. for every default.

Every worker of wool ſhall do his duty therein lawfully.

VI. Alſo it is ordained and eſtabliſhed by the authority aforeſaid, That every carder, ſpinſter, weaver, fuller, ſhearman, and dyer, ſhall duly perform his duty in his occupation, upon pain to yield to the party grieved in this behalf his double damages; (2) and that every fuller, from the ſaid feaſt of St. *Peter*, in his craft and occupation of fulling, rowing, or tayſeling of cloth, ſhall exerciſe and uſe tayſels, and no cards deceitfully impairing the ſame cloth, upon pain to yield to the party grieved his double damage. (3) And that every juſtice of peace for the time being, of every county of this realm, throughout the ſame county, out of cities, boroughs, and towns where any mayor, maſter, warden, bailiff or bailiffs is or be, and every mayor where there is no maſter, and every maſter where there is no mayor, and every bailiff or bailiffs where there is no mayor nor maſter, and every portreve where no mayor, maſter, bailiff, nor bailiffs, is or be, of every city, borough, and town within every ſuch county aforeſaid, and every conſtable of hun-

The fuller's duty in his occupation.

What magiſtrates may enquire of and puniſh ſuch as do offend.

hundred, where any conſtable of hundred is, out of every city, borough, and town, where any mayor, maſter, bailiff or bailiffs, or portreves, is or be; and that every ſteward keeping or holding wapentake or leet of any perſon out of city, borough, or town, where no mayor, maſter, bailiff or bailiffs, or portreves is or be, ſhall have power and authority by this ordinance, to hear and determine the complaints of every ſuch cloth-maker and labourer, as well for nonpayment of the ſaid labourers wages, as of the ſaid forfeiture and damages, by due examination of the parties in this behalf thereupon, for nonpayment of the ſaid duties and forfeiture, and for the ſaid damages, to commit the ſaid offenders in this behalf to the next gaol within the ſame county, there to remain till the ſaid duties, forfeitures, and damages be fully paid to the ſaid labourer or cloth-maker; (4) and alſo that every of the ſaid juſtices of peace, mayor, maſter, warden, bailiff or bailiffs, portreve, and ſteward of wapentake and leet, upon the information or complaint of any other perſon which is not grieved in this behalf, ſhall have power by the ſaid authority within his juriſdiction, to cauſe the party to come before him, againſt whom ſuch information or complaint ſhall be made, for offending this ordinance, and to examine him in and upon the matter contained in the ſame information or complaint; (5) and if the party, by examination, or other due proof, be found guilty or defective, that then the ſame party, as often

four de drap & laborer ſibien pur nonpaiement de les ditz gages des ditz laborers come de les ditz forfaiture & damages per due examination de les parties en cell partie et ſur ceo pur nonpaiement de les ditz duetees & forfaitures & pur les ditz damages de commetter les treſpaſſours en cell parte al proſchein gaole deinz meſme le countee illeoqes a demurer tanqe les ditz duetees forfaitures & damages ſoient a le dit laborer au faiſour de drap duement paiez. Et auxi qe cheſcun de les ditz juſtices de peas maire maiſter gardein baillif ou baillifs portrefe & ſeneſchall de wapentak & lete ſur lenformation ou compleint daſcune autre perſone qe neſt greve en ceſt part aiet poair par la dit auctorite deinz ſa juriſdiction de faire venir devaunt luy la partie envers quelle lenformation ou compleint ſerra fait pur lencontrefeiſure a ceſt ordenaunce et ceux dexaminer en & ſur la matier conteignuz en meſme lenformation ou compleint et ſil trove par examination ou autres duez proves la partie en ceo coupable ou defectif qadonqes meſme la partie ſi ſovent & pur cheſcun foitz come il eſt iſſint trove coupable ou defective forface au Roy ou a tiel perſone ou perſones qe ou queux eſt ou ſont entitle ou entitlez davoir fines ou amerciaments pur offenſes faitz deinz leur juriſdiction iii s. iiij. d. Et qe cheſcun de les ditz juſtices de peas & autre officer avauntdit deinz ſa juriſdiction ſur cheſcun del dite enformation ou compleint aient plein poair de fere autiel proceſſe envers la partie ſur quell aſcune tiel enforma-

formation ou compleint come devaunt eſt recitee ſerra fait de luy faire venir perſonalment devaunt luy ſur ceo deſtre examinez ſicome juſtices de peas ount ſur enformation ou compleint fait a ceux pur ſuertie de peas ſaunz aſcun fee ou regard deſtre pris ou eue par aſcun de les ditz juſtices ou aſcun autre officer en cell parte pur lexecution de leur offices en cell parte.

Auxi ordeignez eſt & eſtablie par lauctorite ſuiſdit qe tout maner drap lanuz fait en aſcune autre region en ceſt roialme ameſnez & mys a vend deins aſcune part del meſme le roialme apres le dit feſt de ſeint Peer ſoit forfait au Roy forſpriſez draps fait en Gales & Irlond & draps priſes par aſcune des lieges du Roy ſur le meere ſaunz fraude ou male engyne. Et par lauctorite ſuiſdit ordeignez eſt & eſtablie qe aſcun autre acte ou ordenaunces faitz en ceſt preſent parlement concernauntz la faiſance de drap ou aſcun de les premiſſez contrariez ou nient accordauntz a ceſt act ſoit & ſoient voidez & de null effect.

often, and for every time that he is ſo found guilty or defective, ſhall forfeit to the King, or to ſuch perſon or perſons which is or be entitled to have fines or amerciaments for offences done within their juriſdiction, iii s. iv. d. (6) And that every of the ſaid juſtices of peace, and other officers aforeſaid, within his juriſdiction upon every of the ſaid informations or complaints, ſhall have full power to make like proceſs againſt the party, upon whom any ſuch information or complaint, as before is rehearſed, ſhall be made, to cauſe him perſonally to appear before him, thereupon to be examined, as juſtices of the peace have upon information or complaint made to them for ſurety of peace, without any fee or reward to be taken or had by any of the ſaid juſtices, or any other officer in this party, for the execution of their offices in this behalf.

What proceſs ſhall be awarded by juſtices of peace againſt offenders.

VII. Alſo it is ordained and eſtabliſhed by the authority aforeſaid, That all manner of woolen cloths made in any other region, brought into this realm of *England*, and ſet to ſale within any part of this realm of *England*, after the ſaid feaſt of St. *Peter*, ſhall be forfeit to our ſovereign lord the King, except cloths made in *Wales* and *Ireland*, and cloths taken by any of the King's liege people upon the ſea, without fraud or colluſion. (2) And by the authority aforeſaid it is ordained and eſtabliſhed, That any other act or ordinance made in this preſent parliament concerning cloth-making, or any of the premiſſes, contrary or not according to this act, ſhall be void and of none effect.

No cloths made in any other region ſhall be brought into England to be ſold. 11 Ed. 3. c. 3.

CAP. II.

From what places, and on what conditions Engliſh *wools ſhall be exported to* Calais.

ITEM, Whereas the King's noble progenitors, by great deliberation and advice, by divers acts of parliament in times paſt, did ordain and ſtabliſh a ſtaple to be at *Calais*, to the intent that all the wools and woolfels, and other merchan-

Ex edit. Raſt. Staple of Calais.

Merchandiſe of the ſtaple. 14 H. 6. c. 2. 15 H. 6. c. 8. 18 H. 6. c. 15.

diſes of this realm, called merchandiſes of the ſtaple, which ſhould be ſhipped to paſs out of this realm, ſhould be carried to the ſaid ſtaple, and to none other place. And in the time that it was ſo uſed, *Calais* was in great ſurety, and this land, as to the commodities of the ſame, in great proſperity, till now of late that by ſtrange and ſiniſter means, many and divers licences of wools and woolfels have been granted and executed, as well in the King's name as otherwiſe: and have paſſed into the parts beyond the ſea, to other places than to the ſaid ſtaple, and ſold to the ſame perſons, which were accuſtomed to come to the ſaid ſtaple to buy wools and woolfels: and alſo divers perſons have much uſed to ſhip wools and woolfels out of this realm, ſome privily by night, and ſome openly by force, without paying therefore to the King any cuſtom or ſubſidy, and carry the ſame to other places than to the ſaid ſtaple, and ſold them to ſuch perſons as were accuſtomed to buy wools and woolfels at the ſaid ſtaple, by which undue means, great damage and inconvenience hath grown to our ſaid ſovereign lord the King and this his realm, and to the ſafeguard of the ſaid town and marches of the ſame: Our ſaid ſovereign lord the King, conſidering the premiſſes, by the advice, aſſent, requeſt and authority aforeſaid, doth grant, ordain, and eſtabliſh, That wools and woolfels, morling and ſhorling, that ſhall be ſhipped to paſs out of this realm, after the feaſt of *Eaſter*, which ſhall be in the year of our Lord, M.cccc.lxv. ſhall be ſhipped at the towns of ſuch ports wherein the King hath his beam, his weights, and collectors of the cuſtom to ſerve and deliver the merchants, that is to ſay, at the town of *Poole*, *Southampton*, *Chicheſter*, *Sandwich*, *London*, *Ipſwich*, *Boſton*, *Hull*, *Lynn*, and in none other place, creek or port, the wools and woolfels to be ſhipped in galleys and carraks, and in none other veſſel, to paſs out of this realm by the ſtreits of Marrocke forepriſed and except. And that by the ſame authority every perſon, that ſo ſhall ſhip or cauſe to be ſhipped out of this realm, any wools, woolfels, morling or ſhorling, after the ſaid feaſt, upon the ſhipping of them, and before that they paſs out of any of the ſaid towns, where they ſhall be ſhipped, ſhall find ſufficient ſurety to the King, and to the collectors of his cuſtom there for the time being, that the ſame wools, woolfels, ſhorling and morling, ſhall paſs to *Calais*, and to none other place, without fraud or colluſion. And alſo by the ſame authority it is ordained, That every perſon which ſo ſhall ſhip wools, woolfels, ſhorling and morling to *Calais*, ſhall bring within twelve months next following, ſuch ſhipping into the King's exchequer, there to be entered of record, a certificate of him, which is, or for the time ſhall be called the King's cuſtomer, at the port there, teſtifying the coming of all ſuch ſhips with wools, woolfels, morling and ſhorling to *Calais*. Alſo it is ordained by the authority aforeſaid, That if the ſame cuſtomer at the port do not deliver to the merchant, bringing ſuch wools, woolfels, ſhorling and morling to *Calais*, a due certificate, after the form of this act,

Shipping of wools.

act, within viii. days after due requeſt of him thereof made, he ſhall forfeit to the owner of the ſaid wools, woolfels, ſhorling and morling, at any time that he ſhall refuſe to make and deliver ſuch certificate C.li. And if he which ſo ſhall ſhip wools, woolfels, ſhorling or morling, to be had to *Calais*, do not bring into the King's exchequer, the certificate, as above is recited, and there offer the ſame in open court before the treaſurer and barons of the ſame exchequer, for the time being, to be entered of record within the ſaid twelve months, or if any perſon do contrary to the ſaid ordinance, he ſhall forfeit all ſuch wools, woolfels, morling and ſhorling ſo ſhipped contrary to the ſaid ordinance, whereof he bringeth not a certificate as before is recited, or the value thereof. The one half to be employed to the expences of the King's houſe, and the other half to ſuch perſon as ſhall ſue for the ſame in this behalf, being mayor of the King's ſtaple at *Calais* at the ſame time of ſuch ſuit commenced. And that he in this caſe may ſue an action of debt of ſuch wools, woolfels, ſhorling or morling ſo forfeit, or of the value thereof at his election againſt ſuch perſon or perſons, which ſhall do contrary to this ordinance. The ſaid action to be taken, and every iſſue therein joined, to be tried in the counties where ſuch wools, woolfels, ſhorling and morling ſhall be ſhipped: *except* that if any iſſue be taken in the ſaid action upon the offer of the certificate, that then it ſhall be tried in the county where the ſaid court of exchequer for the time ſhall be. And that the ſame proceſs be and lie in ſuch action as is and lyeth in action of debt at the the common law, and that no protection nor eſſoin lye or be allowed or adjudged for the defendant in ſuch action. And though the plaintiff in ſuch action be diſcharged of his ſaid office of mayor, hanging the ſame action, he ſhall maintain and purſue the ſaid ſuit, notwithſtanding the ſame diſcharge. Provided always, That if any wools, woolfels, morling or ſhorling, to be ſhipped in the form aforeſaid, be taken with enemies upon the ſea, or elſe there periſhed or loſt by misfortune, and ſuch taking, periſhing or loſs be found and proved before the treaſurer and the barons of the King for the time being, by examination of the perſon or perſons, which ſo ſhould ſhip ſuch wools, woolfels, ſhorling or morling, or their executors or two credible perſons ſworn, or other reaſonable witneſſes and proofs, teſtifying the ſame wools, woolfels, ſhorling and morling ſo taken, loſt or periſhed: that no perſon for any ſuch woolfels, ſhorling or morling, ſo taken, loſt or periſhed, ſhall be grieved or otherwiſe prejudiced by this act. Provided alſo, That the wools, woolfels, ſhorling or morling, only of the growing betwixt the waters of *Teeſe* and *Tweed*, *Northumberland*, *Cumberland*, *Weſtmorland*, the biſhoprick of *Durham*, *Richmondſhire*, and *Northaldertonſhire*, may be ſhipped in the port of *Newcaſtle upon Tyne*, to paſs at their liberty, this act notwithſtanding.

Wools, woolfels.

Newcaſtle.

CAP. III.

Certain wools, fells, &c. which may be exported from Newcaſtle *to the ſtaple of* Calais. *Penalty on thoſe who do contrary to this ordinance.*

Shipping of wools at Newcaſtle.

ITEM, becauſe it is perceived and certainly known, that divers perſons for themſelves, their factors and ſervants, do buy and gather wools and woolfels, as well ſhorling as morling, of the growing of the counties of *York*, *Lincoln*, and *Nottingham*, and carry the ſame to the port and town of *Newcaſtle*, and there the ſame wools and woolfels, as wools and woolfels of the growing of the country beyond the waters of *Teeſe* and *Tweed*, and of any of the ſaid counties of *Northumberland*, *Cumberland*, *Weſtmorland*, *Richmondſhire*, *Northaldertonſhire*, and the biſhoprick of *Durham*, and by colour thereof do ſhip and cauſe to be ſhipped and carried into places beyond the ſea, other than to the ſtaple of *Calais*, whereby our ſaid ſovereign lord the King is greatly deceived of his cuſtom and ſubſidy, againſt the ſtatutes in ſuch caſes provided, to the great damage of the King and of this his realm, and of his ſubjects of the ſame: Our ſovereign lord the King, by the advice and aſſent of the ſaid lords and commons, and by the ſaid authority will and ordaineth, That no perſon ſhall ſhip or cauſe to be ſhipped, at the ſaid port and town, any wools or woolfels, morling or ſhorling, of the growing of any county or country, other than of the growing of the country beyond the ſaid waters, or of any of the ſaid counties of *Northumberland*, *Cumberland*, *Weſtmorland*, *Richmondſhire*, *Northaldertonſhire*, or of the ſaid biſhoprick of *Durham*. And if any perſon ſhip or cauſe to be ſhipped, at the ſaid town or port, any wools, woolfels, ſhorling or morling, of the growing of any county or country, other than the ſaid countries, betwixt the ſame waters, or of the ſaid counties of *Northumberland*, *Cumberland*, *Weſtmorland*, *Richmondſhire*, *Northaldertonſhire*, or of the ſaid biſhoprick of *Durham*, to be carried into any place beyond the ſea, other than to the ſaid ſtaple of *Calais*, ſhall forfeit the double value of the ſame wools and woolfels ſo ſhipped, and not grown betwixt the ſaid waters, nor in none of the ſaid counties of *Northumberland*, *Cumberland*, *Weſtmorland*, *Richmondſhire*, *Northaldertonſhire*, or in the ſaid biſhoprick of *Durham*: whereof our ſovereign lord the King ſhall have the one half, and he that will ſue in this party the other half: and that as well the King, as he that will ſue for the ſame in this behalf, ſhall have his recovery by an action of debt. The ſaid action to be taken, and every iſſue therein joined, to be tried in the ſaid county of *York*, and not in the ſaid town, nor in none of the ſaid counties of *Northumberland*, *Cumberland*, *Weſtmorland*, *Richmondſhire*, *Northaldertonſhire*, or in the ſaid biſhoprick. And like proceſs to be had in the ſame action, as is commonly uſed in an action of debt. And that the defendant in this caſe have no advantage by any eſſoin or protection, nor be admitted to wage his law.

Staple of Calais. 3 Ed. 4. c. 1. 12 Ed. 4. c. 5.

CAP.

CAP. IV.

A reſtraint for three years of the cuſtom of contracting for wool in certain counties before it is ſhorn, unleſs it be uſed for cloth or yarn.

Wools bought unſhorn.

ITEM, whereas by ſubtil bargains made in buying of wools, before that the ſheep that bear the ſame be ſhorn, the cloth-makers of this realm can well nigh find none to be ſold, to the great grief of them, which have been accuſtomed to have their living by the mean of making of cloth: Our ſovereign lord the King, by the advice and aſſent of the ſaid lords, and at the requeſt of the ſaid commons, and by the authority aforeſaid, hath ordained and ſtabliſhed, That no perſon by himſelf or any other, ſhall buy or bargain, from the xviii. day of *March*, which ſhall be in the year of our lord, M.cccc.lxiiii. any wools then not ſhorn, or take promiſe of bargain of any wools, then not ſhorn, of the growing of *Berkſhire*, *Oxfordſhire*, *Glouceſterſhire*, *Shropſhire*, *Herefordſhire*, *Worceſterſhire*, *Wiltſhire*, *Somerſetſhire*, *Dorſetſhire*, *Hampſhire*, *Eſſex*, *Cambridgeſhire*, *Norfolk*, *Suffolk*, *Kent*, *Surry*, and *Suſſex*, or of any of the ſame, till the feaſt of St. *Bartholomew* then next enſuing, or buy any wools, or take any promiſe of bargain of wools, which ſhall grow in any of the ſame counties, the year then next enſuing the ſaid feaſt, before the ſame feaſt then next following, or in like manner buy any wools, or take promiſe of bargain of any wools, which ſhall grow in any of the ſaid counties the year then next enſuing the ſame feaſt, till the ſame feaſt then next following, which feaſt ſhall be in the year of our Lord M.cccc.lxvii. but only ſuch perſons, which of the ſaid wools ſhall make or do to be made yarn or cloth within this realm, upon pain of forfeiture of the double value of all the wools bought or to be bought, bargained or taken by promiſe of bargain againſt this ordinance: the one half to be had to the King's uſe, and the other half to the uſe of him that will ſue in this behalf, and that every perſon that will ſue in this behalf ſhall have an action of debt of the ſame forfeiture, and like proceſs in the ſame action, as is had in an action of debt. And that no eſſoin, protection, nor wager of law be allowed for the defendant in this action.

Bargain for wool.

4 H. 7. c. 11.
22 H. 8. c. 1.
37 H. 8. c. 15.

CAP. V.

Merchandiſes from the duke of Burgundy's *countries prohibited, till* Engliſh *wrought cloths are received there.*

Duke of Burgundy, Woolen cloths and yarn.
27 H. 6. c. 1.
28 H. 6. c. 1.

ITEM, foraſmuch as a certain declaration and ordinance, in form of a ſtatute, evermore to endure, and never to be repealed, and proclamations of the ſame were late made by the duke of *Burgundy* in the parts of *Brabant*, *Holland*, *Zealand*, and other ſeigniories, that from that time forth all manner woolen cloths and woolen yarn made and wrought in the realm of *England* ſhould be baniſhed out of the lands of the ſaid duke, that is to ſay, *Burgundy*, *Lotrike*, *Brabant* and *Luneburgh*, *Flanders*, *Artois*,

tois, *Henault*, *Holland*, *Zealand*, *Namur*, the marquiſhip of the holy empire, *Frieſland*, *Malynes*, the lands beyond the river of *Maeſe*, and generally out of all his other lands and ſeigniories: ſo that after the ſaid proclamation, no ſuch cloth or yarn ſhould be bought, ſold, or diſtributed there. And if after the ſame time any ſuch cloth or yarn ſhould be there found, that the ſame ſhould be burnt as a thing banned; with certain other ſtrait puniſhments ſpecified in the ſame proclamations and ordinances: whereby, by all likelihood, the makers of woolen cloths within this realm of *England*, as weavers, fullers, dyers, ſpinners, carders, and winders of yarn, and other perſons exerciſing the ſaid cloth-making, and alſo the buyers and ſellers of the ſame, ſhould be deſtitute of occupations, and become ſo idle, that it ſhould provoke them to ſin and evil life, which God defend: our ſaid ſovereign lord the King, the premiſſes conſidered, hath by the advice, aſſent requeſt and authority aforeſaid, ordained and ſtabliſhed, That no denizen of this realm, nor no merchant of the liege of *England*, ſhall bring or convey, nor privily or apertly do to be brought, carried, or conveyed into this realm of *England*, *Wales*, or *Ireland*, any manner merchandiſes or goods of the growing, workmanſhip, or making, of the lands and parts of *Burgundy*, *Loirike*, *Brabant*, *Luneburgh*, *Flanders*, *Artois*, *Henault*, *Holland*, *Zealand*, *Namur*, the marquiſhip of the holy empire, *Frieſland*, *Malynes*, the lands beyond the river of the *Maeſe*, or of any lands or ſeigniories, which the ſaid duke doth hold or occupy, or any of them: nor that any ſuch denizen or merchant ſtranger ſell or utter in any part of this realm, *Wales*, or *Ireland*, from the ſaid feaſt, any ſuch merchandiſes or goods, other than ſuch which have been bought before the ſaid feaſt, in any of the ſaid parts, except all manner of victuals. And alſo except goods and merchandiſes taken by any of the King's liege people upon the ſea, without fraud, covine, or male engine, upon pain of forfeiture of the ſaid goods and merchandiſes ſo brought or ſo ſold and bought after the ſaid feaſt, that is to ſay, the one half thereof to the King, and the other half to him that firſt ſhall ſeiſe the ſame goods and merchandiſes, in whoſe hands ſoever they may be found, till the time that due continual reformation be had and made by the ſaid duke of the ſaid declaration and ordinance of baniſhing, in ſuch wiſe that all manner of woolen cloth and woolen yarn made, or to be made within the realm of *England*, *Wales*, and *Ireland*, may come to be brought and accepted in the aforeſaid parts of *Burgundy*, *Lotrike*, *Brabant*, *Luneburgh*, *Artois*, *Henault*, *Holland*, *Zealand*, *Namur*, the marquiſhip of the holy empire, *Frieſland*, *Malynes*, the lands beyond the water of the *Maeſe*, and all other lands and ſeigniories of the ſaid duke, and in every of them there to be uttered, ſold, and expended, uſed, worn, and diſtributed, at the election of the owner of the ſame or his factor in this behalf there, without impeachment of the ſaid duke, or any other his officer in any of the ſaid lands and parts, to be carried and con-

Merchandiſe.

Victuals.

conveyed to any other part, at the election of the ſaid owner or his factor, as freely as they were brought, carried, or conveyed before the ſaid proclamation of the ſaid declaration and ordinance made by the ſaid duke. And alſo he hath ordained by the ſaid authority, That all manner merchants ſtrangers, having any ſuch manner of merchandiſes or goods of the ſaid growing, workmanſhip, or making, being ſhipped in any veſſel in any part of this realm of *England*, *Wales*, or *Ireland*, and not put to land, or if any ſuch merchandiſes or goods be put to land in any part of the ſaid realm of *England*, after the ſaid feaſt, that all ſuch merchandiſes and goods be utterly voided out of this realm of *England*, *Wales*, and *Ireland*, within forty days next after proclamation made upon this ordinance within the city of *London*, upon pain of forfeiture of the ſaid goods and merchandiſes: the one half thereof to the King, and the other half to him that ſhall firſt ſeiſe any ſuch goods or merchandiſes. And that open proclamation of this ordinance be made before the eighteenth day of *March*, which ſhall be in the ſaid year of our Lord M.cccc.lxiiii. within the city of *London*, and other neceſſary places and convenient. And if it happen any ſuit or action to be taken and ſued by the occaſion of any ſuch ſeiſin, wherein any iſſue concerning this ordinance ſhall be taken: that the ſaid iſſue be triable and tried in the county and of the venue, where the ſaid ſeiſin ſhall be had, and in none other place. And becauſe it is greatly doubted, that during the ſaid reſtraint of the ſaid goods and merchandiſes made and grown in the aforeſaid lands of the ſaid duke of *Burgundy*, being in this realm, or to be brought into the ſame, and within the ſame to be put to ſale, by the ſellers of them ſhould be exalted and put at an exceſſive price, which ſhould turn to the great damage of the people of this realm: it is therefore ordained by the ſaid authority, That during the ſaid reſtraint, every mayor, bailiff, and other chief governor of every city, borough, and town, and the governors of every fair and market out of city, borough, and town, within this realm, upon complaint to be made to any of them by any of the King's liege people, of ſuch enhancing and putting of exceſſive price, ſhall have power and authority within their juriſdiction, by due ſearch, examination, and proof had in this behalf, to make ſuch direction and reformation, as by the advice of two diſcreet men of every ſuch city, borough, or town, thereto to be appointed by every mayor, bailif, or other chief governor aforeſaid, after their conſcience and diſcretions, in ſatisfaction and reaſonable amends of the party ſo complaining ſhall ſeem reaſonable. And this ordinance to endure at the King's pleaſure. Provided always, That this act, nor none other act, ſtatute nor ordinance, made or to be made in this preſent parliament, ſhall do no damage, prejudice nor derogation to the merchants of *Almayne*, having the houſe commonly called *Guildhalla Teutonicorum*, in the city of *London*, which merchants now be within this realm of *England*, or in any parts under the King's obeiſance, or which

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Mayor.

Guildhalla Teutonicorum.

which hereafter ſhall be or repair into the ſame, of or in any franchiſes, freedoms, liberties, immunities or any other thing granted by the King's progenitors, by their letters patents, to merchants of *Almayne*, having the ſaid houſe commonly called *Guildhalla Teutonicorum*, in the ſaid city of *London*, nor of any grants or confirmations in any wiſe made by our ſaid ſovereign lord the King by his ſeveral letters patents to merchants of *Almayne*, having the ſaid houſe commonly called *Guildhalla Teutonicorum*, in the ſaid city of *London*, by whatſoever names they be called or named. And that all the ſaid letters patents be in all ſuch force, effect, and ſtrength, and available to the merchants having the ſaid houſe called *Guildhalla Teutonicorum* in the ſaid city of *London*, as they were before the making of this act. This act, or any other act, ſtatute, or ordinance made or to be made in this preſent parliament notwithſtanding.

CAP. VI.

A qualification of the ſtatute of 5. HEN. IV. cap. 9. *touching ſecurity to be taken of merchants ſtrangers for the employment of their money upon the commodities of this realm.*

Cuſtomers and controllers.

ITEM, our ſaid ſovereign lord the King remembering that where by the ſtatute made in the parliament holden in the fifth year of *Henry* the Fourth late in deed and not of right king of *England*, it was ordained and ſtabliſhed by authority of the ſame parliament amongſt other things, That all the cuſtomers and comptrollers in all ports of this realm, ſhould take ſufficient ſurety for all manner merchandiſes brought by merchants aliens and ſtrangers, coming and repairing to the ſaid ports, to the intent that the money taken for the ſaid merchandiſes ſhould be employed upon the commodities of this realm, ſaving their reaſonable coſts, as in the ſame ſtatute is contained more at the full. And that becauſe the ſaid merchants ſtrangers have not knowledge of the ſufficient perſons within this realm, which ſhall be bound for them, ſo that they cannot oftentimes find to the intent aforeſaid ſuch ſurety: and alſo becauſe that the ſaid cuſtomers and comptrollers have no manner of power nor authority after the employment performed and made, to rebail the ſaid ſureties to the merchants: wherefore the ſaid merchants would rather depart, and hereafter not to repair into this realm with any merchandiſes, than to find any ſuch ſureties, in diminution of the King's cuſtoms and ſubſidies in his ſaid ports, unleſs due remedy be therefore provided: the King, by the aſſent of the ſaid lords and commons, and by the authority aforeſaid, hath ordained and ſtabliſhed, That at all times from henceforth the cuſtomers and comptrollers for the time being, ſhall take ſurety by their diſcretion of the ſaid merchants alone, or of them and other for the ſaid employment to be had. And that the ſaid cuſtomers and comptrollers in every port of this realm, at all times hereafter, after the employment had by the

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ſaid

ſaid merchants, may deliver to the ſaid merchants all ſuch ſureties, which they did take of them or any of them for the ſaid employment. And that of and for the ſame they and every of them be diſcharged againſt the King. This ſtatute to endure till the next parliament.

CAP. VII.

Regulations to be obſerved by the ſhoemakers of London, *and thoſe within three miles of the ſame. The privileges of the inhabitants of St.* Martin's le Grand *ſaved.*

Cordwainer.

ITEM, our ſovereign lord the King, by the advice of his lords ſpiritual and temporal, and at the prayer of the ſaid commons in the ſaid parliament aſſembled, and by authority of the ſame, hath ordained and ſtabliſhed, That no perſon cordwainer or cobler within the city of *London*, or within three miles of any part of the ſame city, be he within franchiſe or without, do to be made after the feaſt of *Eaſter*, which ſhall be in the year of our Lord one thouſand four hundred ſixty five, any ſhoes, galoches, or huſeaus with any pike or poleyn, that ſhall paſs the length of two inches, which ſhall be judged by the wardens or governors of the ſame myſtery within the ſaid city, and three miles of every part of the ſame, or upon any *Sunday* in the year, or in the feaſts of the *Nativity* or *Aſcenſion* of our Lord, or in the feaſt of *Corpus Chriſti*, ſhall ſell or command or do to be ſold any ſhoes, huſeaus, or galoches, or upon the *Sunday*, or any of the ſaid feaſts, ſhall ſet or put upon the feet or legs of any perſon, any ſhoes, huſeaus, or galoches, upon pain of forfeiture and loſs of xx s. ſterling, as often and when any perſon ſhall do the contrary of this ordinance or any part of the ſame. Whereof vi s. viii d. ſhall be had to the King's uſe, and vi s. viii d. to the uſe of the governors of the myſtery of cordwainers, and the other vi s. viii d. reſidue of the ſaid xx s. to the uſe of him that ſhall find, diſcover, and prove the breaking of this ordinance. And that every perſon that will ſue for the ſaid forfeiture, ſhall have an action of debt by writ or plaint at his election, and ſuch proceſs and execution in the ſame as is had in an action of debt. And that the defendant in the ſame action be not admitted to wage his law. Provided always, That this act, nor none other act, ordinance or ſtatute, made or to be made in this preſent parliament, ſhall extend to the damage or prejudice, nor in any wiſe be prejudicial or hurtful to the dean for the time being of the King's free chapel of St. *Martin's le Grand* of *London*, or to the ſaid dean and chapter for the time being of the ſame chapel, nor to any perſon or perſons for the time abiding or dwelling within the ſame chapel, or within any place or places in St. *Martin's Lane* in *London*, or within any other place or places within the precinct, fee, or franchiſe of the ſaid dean, or the ſaid dean and chapter, nor to any of the rights, privileges, liberties, franchiſes, immunities, or other thing by the King, or by any of his progenitors, predeceſſors, or poſſeſſors of the realm, eſtate, and crown of *England*,

St. Martin's le grand of London.

land, to the ſaid dean and chapter of the ſaid chapel and their ſucceſſors jointly or ſeverally in any manner granted, or in any manner heretofore pertaining. And alſo provided, That the dean of the ſaid chapel, and the dean and chapter of the ſame chapel, ſhall have, hold, and enjoy fully, freely, quietly, and effectually all their ſaid rights, privileges, franchiſes, liberties, immunities, and every other thing to them granted in manner and form aforeſaid, by whatſoever name or names they be named or called jointly or ſeverally in any letters or writings thereupon made, any act, ordinance, or ſtatute made or to be made, or any other matter or thing contrary notwithſtanding.

Repealed by 14 H. 8. c. 9. & 5 Eliz. c. 8.

CAP. VIII.

No ſtranger ſhall buy Engliſh *horns unwrought, gathered or growing in* London, *or within twenty four miles thereof. Certain powers veſted in the wardens of the horners of* London.

Rep. 1 Jac. 1. c. 25. but is recited and in part revived by 7 Jac. 1. c. 14.

OUR *ſovereign lord the King perceiving by grievous complaint made in this parliament by men of occupation of horners being enfranchiſed in the city of* London, *how that people of ſtrange lands hath come into this land and into divers parts thereof, and hath bought by the hands of their hoſts and guides the great and chief ſtuff of* Engliſh *horns unwrought, of tanners and butchers, and carry the ſame over the ſea, and there employ the ſame in divers works, to the great damage of this land, and to the final prejudice of a great number of men being of the ſame occupation:* hath, by the advice and aſſent of the ſaid lords, and at the requeſt of the ſaid commons, and by the authority aforeſaid, ordained, eſtabliſhed, and enacted, That from the feaſt of *Eaſter*, which ſhall be in the year of our Lord God, one thouſand four hundred and ſixty five, no manner ſtranger nor alien, by himſelf, or by any other, ſhall buy any *Engliſh* horns unwrought, of any tanners, butchers, or of any other perſons, gathered or growing

ITEM noſtre dit ſoveraigne ſeignur le Roy appris par grevous compleint fait en le dit parlement par les hommes de la meſtier des horners enfraunchiſez en la citee de Loundres coment les gentz des terres eſtraunges ount venuz en ceſt terre & en diverſes parties dicell & ount achatez par les mains de lour gardes hoſtes & guydes le graund & chief ſtuffe des cornes Englois nient overez des tanners & bochers & les ameſnerent doutre le mere & les illeoqes emploierent en diverſes overaignes au graunde damage de ceſt terre & en finall prejudice de le graund nombre des hommes de la dite meſtier pur toutz jours ad par aſſent des ditz ſeignurs & a la ſupplication des ditz communez & par lauctorite ſuiſdit ordeigne eſtablie & enacte qe a le feſt del Paſque qi ſerra en lan de noſtre Seignur Mille cccclxv. null manere eſtraunge ou alien par luy meſme ou par aſcun autre aſcuns cornes Englois nient overez des tanners bochers ou daſcuns autres perſones coillez ou creiſſantz deinz la dit

dit citee & xxiiij leukes en cheſcun part le meſme la citee procheins adjoignantz & qe null Englois ou autre perſone qeconqe vende aſcuns cornes Englois nient overez al aſcun eſtraunge ou les face maunder outre le mere iſſint qe les ditz horners voillent achater les ditz cornes de ſemble price de qi ils ſont al temps del faiſance de ceſt ordenaunce ſur peine del forfaiture de toutz tielx cornes iſſint achatez venduz ou maundez & qe les gardeins de la dit meſtier pur le temps eſteantz par la dit auctorite aient plein poair de ſercher tout manere de ware ſpectant a leur dit meſtier overe ou a overer en toutz lieux deins la dit citee de Loundres & xxiiij. leukes en cheſcun part prochein adjoignaunt a meſme la citee & deinz les feires de Stirbrigge & Ely en qi mains les poient eſtre trovez. Et ſils par lour ſerche trovent aſcun tiel ware ou ſtuff en aſcun lieu deinz la dite citee de Loundres & xxiiij. leukes en cheſcun part proſcheine adjoignaunt meſme la citee ou deins les feires de Stirbrigge & Ely en qeconques mains ils ſoient a venders qe eſt defectif & nient ſufficient qil bien liſe a ceux de prendre meſmes les ware & ſtuff & les ameſner devaunt le maire de la dite citee de Loundres le maire ou baillifs de les avauntditz feires pur le temps eſteantz et ceo iſſint illeoqes prove defectif deſtre forfaitz lune moite ent au Roy et lautre moite ent a les ditz gardeins deſtre demeanez a leur pleaſir. Purveu toutz foitz qe apres hommes de la dite meſtier deinz ceſt terre ount priſez hors & eſlieux tielx & tauntz cornes come a leur meſtier

ing within the ſaid city, and xxiiii miles on every ſide of the ſaid city next adjoining. And that no *Engliſhman* nor other perſon, ſell any *Engliſh* horns unwrought to any ſtranger, or cauſe them to be ſent over the ſea, ſo that the ſaid horners will buy the ſaid horns at like price as they be at the time of the making of this act, upon pain of forfeiture of all ſuch horns ſo bought, ſold, or ſent. And that the wardens of the ſaid myſtery for the time being, by the ſaid authority, ſhall have full power to ſearch all manner of ware pertaining to their myſtery, wrought or to be wrought, in all places within the ſaid city of *London*, and xxiiii miles on every ſide next adjoining to the ſame city, and within the fairs of *Sturbridge* and *Ely*, in whoſe hands they may be found. And if they, by their ſearch, find any ſuch ware or ſtuff in any place within the ſaid city of *London*, and xxiiii miles next adjoining to the ſame city, or within the fairs of *Sturbridge* and *Ely*, in whoſe hands ſoever they be, to ſell, that is defective and inſufficient, it ſhall be lawful to them to take the ſame ware and ſtuff, and bring it before the mayor of the ſaid city of *London*, the mayor or bailiffs of the foreſaid fairs for the time being: and the ſame there being proved defective, to be forfeited, the one half thereof to our ſovereign lord the King, the other half to the ſaid wardens, to be ordered at their pleaſure. Provided always, That after that men of the ſaid occupation within this land, have taken out and choſen ſuch and as many horns as ſhall be need-

needful to their occupation, that then it ſhall be lawful to them, all and every of them, and other perſons of this realm of *England*, to ſell and deliver all the horns refuſed, which be not able to be occupied in their myſtery, to any ſtranger or other perſon, to ſend or carry beyond the ſea or elſewhere, as ſhall pleaſe them.

meſtier boſoignent qe donqes liſera a ceux & cheſcun deux & toutz autres perſones de ceſt roialme dEngleterre toutz les cornes refuſez queux ne ſont mie ables a occupiers en leur meſtier de vender & deliverer al aſcun maner eſtraunge ou autre perſone pur les maunder ou carier doutre le mere ou aillours qiqe lour plerra.

CAP. IX.

Patten-makers may make pattens of ſuch aſp as is not fit for ſhafts.

Ex edit. Raſt. 4 H. 5. c. 3.

ITEM, The company of the myſtery of patten-makers of the city of *London*, piteouſly complaining, ſhewed in the parliament, of the grievous hurt, loſs and damage, which other perſons in times paſt of the ſame occupation now dead, and they, long time have borne and ſuſtained, and hereafter be likely to bear and ſuſtain, by reaſon of a ſtatute made in the time of *Henry* the Fifth, late king of *England* in deed and not of right, by authority of this parliament holden in the fourth year of his reign, by which ſtatute it was ordained and eſtabliſhed, That patten-makers within the realm of *England* from that time forth, ſhould make no pattens nor clogs of timber called aſp, upon pain to pay to the King C. s. for every default. And that every perſon, which would ſue for the King ſhould have the one half of the pain ſo forfeit: ſo that the fletchers throughout the realm, might ſell their ſhafts at more eaſy and reaſonable price than they were wont to ſell, as in the ſaid ſtatute more fully is contained. And though alſo that the ſaid aſp timber be the beſt and lighteſt timber, thereof to make pattens and clogs, moſt eaſy for the wearing of all eſtates, gentiles and other people, of any timber that groweth, and before the making of the ſaid ſtatute the ſaid patten-makers were as free, and at as great liberty to buy all manner of aſp timber, and thereof to make pattens and clogs, as they were at the ſame time, and at all times have been, and yet be all manner people of the crafts and occupations of turners, carpenters, woodmongers, and colemakers, which do occupy expend and waſte yearly in their occupations a great quantity of all manner timber of aſp, as well ſuch aſp timber as would ſerve to make ſhafts thereof, as that that would not ſerve for the ſame, and no reſtraint is made for them or any of them to the contrary, and very much aſp timber there is, which will in no wiſe ſerve the fletchers to make thereof ſhafts, which is as ſufficient able and convenient to be made in pattens and clogs, as is the remnant of the ſaid timber to be made in ſhafts: and the ſaid patten-makers durſt not occupy any part of the ſaid timber, nor one nor other, for fear of forfeiture, of the ſaid pain contained in the ſaid ſtatute, which

which is great damage to the ſaid patten-makers, and none advantage to the ſaid fletchers, and the common people throughout the realm thereby greatly diſeaſed: Wherefore our ſovereign lord the King, conſidering the premiſſes, by the advice and aſſent of the lords ſpiritual and temporal, and at the requeſt of the ſaid commons, hath ordained that from henceforth at all times it ſhall be lawful to the patten-makers of this realm, to make pattens of ſuch timber of aſp, that is not apt, ſufficient nor convenient to be made in ſhafts, and that for the common wealth. And that as often as any patten-maker, after the feaſt of *Eaſter*, which ſhall be in the year of our Lord God 1465. ſhall make any pattens or clogs of ſuch part of aſp timber, that ſhall be able and ſufficient to be made in ſhafts, ſhall forfeit for every time forty ſhillings, the one half thereof to the King, and the other half to him that will ſue in this behalf. Repealed by 1 Jac. 1. c. 25.

CAP. X.

What perſons ſhall take paſſage or land at Dover *in* Kent *only, and who not.*

ITEM, whereas by the noble King *Edward* the Third, progenitor of our ſovereign lord the King that now is, after the conqueſt of the town of *Calais*, in his parliament holden in the ninth year of his reign, in relief and comfort of the town of *Dover*, one of the towns of the five ports in the county of *Kent*, did ordain that no merchant, pilgrim, nor none other perſon or perſons, horſe or beaſt, ſhould take any paſſage towards the town of *Calais*, from any port or place within the county of *Kent*, but only from the port of the ſaid town of *Dover*. And alſo that no merchant, pilgrim, nor none other perſon or perſons, horſe, or beaſt, ſhould come from *Calais* into any port of *Kent*, but only to the port of the ſaid town of *Dover*, except ſoldiers and merchants coming and going with their ſhips freighted with merchandiſes, unleſs it were by the King's commandment, or otherwiſe that they were driven or compelled to take ſome other place or port by tempeſt. Alſo it was ordained and eſtabliſhed by the authority of another parliament, holden in the xiii. year of the noble King *Richard* the Second, after the conqueſt, That all paſſage ſhould be kept at the ſaid town of *Dover* in the manner and form before rehearſed, and in none other place within the ſaid county of *Kent*, as there hath been uſed and accuſtomed by reaſon of the premiſſes, till now late, that notwithſtanding divers pilgrims and merchants and other perſons, which be no ſoldiers, with horſes and other beaſts, of late time have uſed commonly to take their paſſage towards the ſaid town of *Calais*, at divers ports and places in the ſame county of *Kent*: and to come from *Calais* into *Kent* at divers ports and places in the ſame, other than in the ſaid port of *Dover*, contrary to the grants and ordinances aforeſaid, to the great damage, impoveriſhment, and deſolation of the ſame town, and likely by continuance to be the cauſe of jeopardy and loſs of the ſame town, caſtle, and the

Dover. 9 Ed. 3. ſt. 2. c. 8.

Paſſage. Calais.

13 R. 2. ſt. 1. c. 20.

country adjoining. Our ſaid ſovereign lord the King, the premiſſes conſidered, and how the ſaid town is ſet in the uttermoſt part of this realm next to his enemies, and hath no mean of comfort nor relief, but only by mean of the ſaid paſſage, hath ordained, eſtabliſhed and enacted by the advice, aſſent, and authority aforeſaid, That no pilgrim, merchant, nor none other perſon or perſons, horſe or beaſt, except ſoldiers, and merchants with their merchandiſes, in the manner and form before recited, ſhall from henceforth take their paſſage at none other place or port within the county of *Kent*, but only at the ſaid port or town of *Dover*, if they may there have ſufficient paſſage and ſhipping. And alſo that no pilgrim, merchant, nor none other perſon or perſons, horſe or beaſt, ſhall come from *Calais* to any port or other place within the ſaid county of *Kent*, but only to the port of the ſaid town of *Dover*, except ſoldiers and merchants with their merchandiſes, unleſs they have and ſhew the King's commandment in writing ſo to do, or elſe be compelled and driven to ſome other place or port by ſudden tempeſt. And that every perſon, of what eſtate degree or condition he be, which voluntarily doth againſt this act or ordinance, ſhall forfeit for every time that he ſo doth, five marks: our ſovereign lord the King to have the one half, to be employed upon the reparation of the caſtle of *Dover*, by the ſurveying of the conſtable or his lieutenant there, the other half to that perſon or perſons of the ſaid town or caſtle, being a freeman of the ſaid town of *Dover*, that will commence or ſue an action thereof againſt the offender. And that every perſon or perſons of the ſaid town or caſtle, freeman of the ſaid town of *Dover*, may in his own name, have againſt every perſon that willingly offendeth this ſtatute, a general action of debt of the ſaid ſum of five marks, and declare eſpecially upon the ſame act or ordinance. And that proceſs of outlawry and all other proceſſes and determination ſhall be had in the ſaid action, as is had and

Ship maſter.

uſed in other general actions of debt. And alſo the maſter of every ſhip and veſſel, which willingly contrary to this act doth convey to any place or places any pilgrim, merchant, or other perſon or perſons, horſe or beaſt, ſhall likewiſe forfeit at every time that he ſo doth, five marks, in the manner and form aforeſaid to be ſued, had, recovered, levied, and employed.

Repealed 21 Jac. 1. c. 28.

Statutes made at *Weſtminſter*, *Anno* 7 EDW. IV. and *Anno Dom.* 1467.

AT *the parliament holden at* Weſtminſter *the third day of* June, *the ſeventh year of the reign of King* Edward *the Fourth after the conqueſt, our ſaid lord the King, by the advice and aſſent*

AU parlement tenuz a Weſtm' la tierce jour de June en lan du reigne du Roy *Edward* le quart puis le conqueſt ſeptiſme meſme noſtre ſeignur le Roy del advis & aſſent

ſent des ſeignurs eſpirituelx & temporelx & a la requeſt de ſez communez en le dit parlement aſſembleez & par lauctorite de meſme le parlement ad ordeigne & eſtablie certeins ſtatutz & ordenaunces en manere & fourme enſuantz.

aſſent of the lords ſpiritual and temporal, and at the requeſt of his commons, in the ſaid parliament aſſembled, and by authority of the ſame parliament, hath ordained and eſtabliſhed certain ſtatutes and ordinances in manner and form following.

CAP. I.

For making of worſteds.

PRimerement qe lou y ſont ſibien deinz la citee de Norwyce come aillours deinz le countee de Norff' diverſes perſones queux fount wares meins verrois dez toutz maners des worſtedes nient eſteantz des aſſiſes en longeur ne laieur ne de bone ſtuff & droiturell feiſure ſicome ils eſtre deivent & furent dauncien temps accuſtumez & les ſleies & file a ycell ſpectantz nient droitment faitz & overez en graund deceit ſibien des deinſzeins come deſtraunges enhabitauntz ou repairauntz en ceſt roialme queux ount uſez & uſent dachatier tielx merchandiſes confiantz qil ſerroiet dedeinz come y monſtre dehors lou de verite il eſt contrarie et lou qe worſtedes en temps paſſe furent bealment & loialment overez & pleſaunt merchandiſe & graundement deſirez & aymez en les parties dela le mere ore par cauſe qils ſont de non droit feiſure & de nondroit ſtuff ils ſont reportz & appellez ſubtile & nondroit merchandiſe & de petit reputation au graund damage noſtre dit ſeignur le Roy & graund prejudice de ſon foiall people. Si noſtre dit ſeignur le Roy de laſſent des ſeignurs eſpirituelx & temporelx & a la requeſt de ſez communez en le dit parlement eſteantz & par auctorite de meſme

FIRST, *For that there be as well within the city of* Norwich, *as elſewhere within the county of* Norfolk, *divers perſons which do make untrue wares of all manner of worſteds, not being of the aſſiſe in length nor in breadth, nor of good ſtuff and right making as they ought to be, and of old time were accuſtomed, and the ſleyes and yarn pertaining to the ſame not well made and wrought, in great deceit as well of denizens as of ſtrangers inhabiting or repairing to this realm, which have uſed and do uſe to buy ſuch merchandiſes, truſting that they were within as they ſeemed without, where indeed it is contrary:* (2) *And for that the worſteds in times paſt were lawfully wrought, and merchandiſe well liked, and greatly deſired and eſteemed in the parts beyond the ſea; now becauſe they be of no right making, nor good ſtuff, they be reported and eſteemed deceitful and unlawful merchandiſe, and of little regard, to the great damage of our lord the King, and great prejudice of his loyal ſubjects.* (3) Our ſaid lord the King, by the aſſent of the lords ſpiritual and temporal, and at the requeſt of his commons being in the ſaid parliament, and by the authority of the ſaid parliament, for the wealth of his people, and the perpetual amendment

The election, oath, authority, ſearching and ſealing of the wardens of worſted weavers in Norwich and Norfolk.

of the ſaid worſteds, and eſchewing and avoiding all manner of deceits to be done and wrought in worſteds by them that work the ſame, and are the means thereof, hath ordained and eſtabliſhed, (4) That men of the ſaid craft within the ſaid city ſhall have power every year, the *Monday* next after the feaſt of *Penteco ſt*, to chooſe four wardens within the ſaid city of the ſame craft; (5) and alſo that artificers of the ſame craft likewiſe out of the city, that is to ſay, within the county of *Norfolk*, ſhall have power every year at the ſame day to chooſe four wardens within and of the ſaid county, of the ſame craft: (6) And the aforeſaid wardens in the ſaid county and city, to come before the mayor of the ſaid city for the time being, upon the *Monday* next after the feaſt of *Corpus Chriſti* then next following, and then to be ſworn before the mayor of the ſaid city, and the ſteward of the duchy of *Lancaſter* within the ſaid county for the time being, if it happen him within the ſaid county then to be preſent, or elſe before the ſaid mayor only, the ſaid ſteward then being abſent. (7) And that all the ſaid wardens, as well within the ſaid city as without, or elſe the greateſt part of them, under this form before recited choſen and ſworn, ſhall have full power for the year then next following, to ſurvey the workmanſhip of the ſaid artificers, and that they make and work rightfully and well, and of good ſtuff, and to ordain ſuch rules and ordinances within the ſaid craft, as often as it ſhall ſeem needful or neceſſary for

Four wardens of worſted weavers in Norwich, and other four in Norfolk. Altered by 13 & 14 Car. 2. c. 5. ſ. 2.

Four wardens ſhall take their oath before the mayor, &c. 26 H. 8. c. 16.

The wardens power.

meſme le parlement pur le bien de tout ſon people & en perpetuall amendement de les ditz worſtedes & deſtruction de toutz manerez deceites eſtre faitz & overez es worſtedes par eux qi les overent & les moiens dicell ad ordeigne & eſtablie qe homes du dit art deinz la dite citee aient poair cheſcun an le lunedie proſchein apres le feſt de Pentecoſt de eſlier quatres gardeins deinz la dite citee de meſme larte. Et auxi qe lartificers de meſme lart ſemblablement dehors la citee ceſtaſſavoir deinz le countee de Norff' aient poair cheſcun an au meſme jour de eſlier quatres gardeins dedeinz & du dit countee de meſme lart et les avauntditz gardeins en les ditz countee & citee de vener devaunt le maire du dit citee pur le temps eſteant ſur le lunedie proſchein apres le feſt del Corpus Chriſti adonqes proſchein enſuant & illeoqes deſtre jurrez devaunt le maire de la dite citee & le ſeneſchall del duchie de Lancaſtre deinz le dit countee pur le temps eſteant ſil aveigne luy deinz la dite citee adonqes eſtre preſent ou autrement devaunt le maire tantſoulement le dit ſeneſchall lors eſteant abſent. Et qe toutz les ditz gardeinz ſibien deinz la dite citee come dehors ou autrement la greindre part deux deſoubtz ceſt fourme avauntdit recitee eſluz & jurrez aient plein poair pur lan adonqes proſchein enſuant de ſurveer lartifice de les ditz artificers & qils facent & overent bien & droitment & de bone ſtuff & de faire & ordeigner autielx rules & ordenaunces deinz la dit art ſi ſovent come il ſemblera as eux boſoignable ou neceſſarie

ceſſarie a lamendement de les ditz worſtedes & art & qe autielx rules & ordenaunces par eux enſi faitz & ordeignez deſtre par les ditz artificers obeiez & gardez.

Ou autrement quatres de les ditz gardeins ceux de les ditz artificers qi aſcuns de leur ditz rules & ordenaunces enfreinent ou facent le contrarie appellantz a eux vj. de les pluis diſcretes de les ditz artificers deinz la dite citee & vj. de les meſmes artificers deinz le dit countee par la diſcretion du dit maire ou ſeneſchall ou dune deux puneront. Et qe cheſcun pece de worſtede ſoit purſuant parmye la pece de leall feiſure bone & convenient ſtuff et qils teignent les longeur & laeur ſicome laſſiſe ſoleoit eſtre daun-cien temps droitement accuſtumee ceſtaſſavoir beddes del pluis graund aſſiſe en longeur xiiij. aulnes largement & en laeur iiij. aulnes largement & beddes del meſne aſſiſe xij. aulnes en longeur & en laeur iij. aulnes & beddes de pluis petit aſſiſe x. aulnes en longeur & en laeur ij. aulnes & dimi & draps appellez monkes clothes xij. aulnes en longeur au meins & v. quarters en laeur & draps appellez chanon clothes dune aſſiſe vj. aulnes en longeur & ij. aulnes en laeur & de lautre aſſiſe v. aulnes & vij. quarters en laeur et double motleis vij. aulnes en longeur & v. quarters en laeur & ſengle motleis vj. aulnes en longeur & v. quarters en laeur & double worſtede x. aulnes en longeur & v. quarters en laeur et dimi double worſtede vj. aulnes en longeur & v. quarters en laeur & rolle worſtede xxx. aulnes en longeur & dimi aulne

for the amendment of the ſaid worſteds and craft; and that all ſuch rules and ordinances, ſo made and ordained by them, ſhall be obeyed and kept by the ſaid artificers.

Punishment of the offenders.

II. Or otherwiſe four of the ſaid wardens, calling to them ſix of the moſt diſcreet of the ſaid artificers within the ſaid city, and ſix of the ſame artificers within the ſaid county, by the diſcretion of the ſaid mayor and ſteward, or one of them, ſhall puniſh ſuch of the ſaid artificers which breaketh, or doth contrary to any of their ſaid rules and ordinances. (2) And that every piece of worſted ſhall be purſuing through the piece of lawful making, good and convenient ſtuff; (3) and that they ſhall hold the length and breadth as the aſſiſe was wont to be of old time rightfully accuſtomed, that is to ſay, beds of the greateſt aſſiſe fourteen yards largely in length, and four yards largely in breadth; and beds of the mean aſſiſe, twelve yards in length, and three yards in breadth; and beds of the leaſt aſſize, ten yards in length, and five quarters in breadth; (4) and cloths called monks cloths twelve yards in length at the leaſt, and five quarters in breadth; (5) and cloths called chanon cloths, of the one aſſiſe ſix yards in length, and two yards in breadth; and of the other aſſiſe five yards in length, and ſeven quarters in breadth; (6) and double motleys ſeven yards in length, and five quarters in breadth; and ſingle motleys ſix yards in length, and five quarters in breadth; (7) and double worſted ten yards in length and

The length and breadth of pieces of worſted.

five quarters in breadth; and the half double worſted ſix yards in length, and five quarters in breadth; and the roll of worſted thirty yards in length, and half a yard in breadth; (8) and that no lambs wool be put in any of the ſaid worſteds. (9) And that the wardens of the ſaid craft, and every of them, for the time being, ſhall have power and authority to ſeiſe all ſuch cloths and ſtuff ſo being defective.

Wardens may ſeiſe defective ſtuff.

III. And that the ſaid mayor and ſteward, and every of them, by twelve of the diſcreet artificers of the ſaid city and county, ſhall have power at all times to enquire, hear, and determine of all ſuch as do againſt the ſaid ordinances within the ſaid city or county. (2) And moreover, in eſchewing all ſuch deceits and falſhoods which might happen to be wrought and done in the ſaid craft by the eight wardens aforeſaid, or betwixt themſelves only, or in concealing of the falſe workmanſhip of other of the ſaid artificers in the ſaid city and county, that the mayor of the ſaid city for the time being, and the ſaid ſteward, or one of them, at ſuch time as he ſhall think convenient, ſhall call before him the ſaid twelve artificers, or the greateſt part of them, and charge them to be ſworn to make rightful ſearch, as well in the ſtuff, as in all the working of the worſted by the ſaid eight wardens hereafter to be wrought and made.

The mayor, ſteward, &c. may enquire of, hear, and determine of-fences.

Twelve artificers ſhall inquire of the eight wardens.

IV. And that the ſaid wardens ſo found defective either in execution of their office in ſearch of all other of the ſame artificers within the ſaid city and

The puniſhment of the wardens defective in their duties.

aulne en laeur et qe ne ſoit miſe en null de les ditz worſtedes aſcune laine dagnell. Et qe les gardeins del meſme lart & cheſcun diceux pur le temps eſteantz averont & avera poair & auctorite de ſeiſer toutz tielx draps & ſtuff iſſint eſteantz defectifs.

Et qe les ditz maire & ſeneſchall & cheſcun deux par xij. homes de les diſcretes artificers de les ditz citee & countee averont poair a toutz temps denquerer oier & terminer de toutz ceux qi fount encontre la dite ordenaunce deinz la dite citee ou countee. Et enoutre qe en eſchuer dautielx deceite & faulxcete queux aveigner puiſſent eſtre overez & faitz en la dite art par les viij. gardeins avauntditz ou entre eux meſmes tantſolement ou en counſeil de faulx artifice dautres de les ditz artificers en les ditz citee & countee qe le maire de la dite cite pur le temps eſteant & le dit ſeneſchall ou ung deux au tiel temps come luy quide pluis boſoignable ferra appeller devaunt luy les ditz xij. artificers ou la greindre part deux & ceux charger deſtre jurrez de faire droiturell ſerche ſibien en le ſtuff come en tout lartifice de worſtede par les ditz viij. gardeins enapres eſtre overez & faitz.

Et qe les ditz gardeins iſſint trovez defectifs ou en execution de lour office en ſerche de toutz autres de meſmes les artificers deinz les ditz citee & countee ou en lour propre ſtuff ou artifice ſerront correctz par meſme le maire ou ſeneſchall en tiel fourme ſicome autres treſpaſſours meſme lart duiſſent de droit eſtre correctez.

Et

Et qe les ditz gardeins & cheſcun deux en cheſcun part de la dite citee de Norwyce & aillours en les countees de Norff' Suff' & Cantebr' au toutz temps covenablez averont & avera poair de ſercher tout maner des worſtedes & le ſtuff diceux ſibien deinz lomes overez deinz la dite citee de Norwyce ou countee de Norff'.

Et ſi aſcun homme devaunt le dit maire ou ſeneſchall ou aſcun deux ſoit ent trove defectif par leur diſcretion ſoit correcte et le worſtede & ſtuff trovez en fourme avauntdit defectifs ſoient forfaitez lune moite dautiel forfaiture trove en la dite citee de Norwice au maire de meſme la citee & trove aillours a le maire ou baillifs des citees burghs & villes ou as chiefs ſeignurs del fee de & en tielx lieux come il aviendra autielx wurſtedes & ſtuff par les ditz gardeins ou par aſcun deux par aſcune cauſe avauntdit defectifs ou forfetables eſtre trovez et lautre moitee a les gardeins de la dite art pur le temps eſteantz. Et qe null home de la dite art face aſcun wurſtede ſaunz ceo qil mette ſur ceo ſon propre ſigne tiſtez ou entexez par ordenaunce de les ditz gardeins ou autrement cell wurſtede deſtre forfait a noſtre dit ſeignur le Roy.

Et outre ceo pur la pleine reformation de les deceites & faulxcete deſuis recite par lauctorite avauntdit ordeignez eſt & enacte qe les ditz viij. gardeins le dit lunedie proſchein apres Corpus Chriſti annuelment encontinent apres lour charge deſuis recite devaunt les ditz maire & ſeneſchall ou ung deux receu aſſigneront encontinent

and county, or elſe in their own ſtuff, or workmanſhip, ſhall be corrected by the ſaid mayor or ſteward, in ſuch form as other offenders of the ſame craft ought of right to be corrected. (2) And that the ſaid wardens and every of them, in every part of the ſaid city of *Norwich*, and elſewhere in the counties of *Norfolk*, *Suffolk*, and *Cambridge*, at all times convenient, ſhall have power to ſearch all manner of worſteds, and the ſtuff of them, as well within the looms, as out of the looms, wrought within the ſaid city of *Norwich*, or county of *Norfolk*.

Where the wardens may ſearch.

V. And if any man, before the ſaid mayor and ſteward, or either of them, be thereof found defective, by their diſcretion he ſhall be corrected, (2) and the worſted and ſtuff, found in manner and form aforeſaid defective, ſhall be forfeit; the one half of ſuch forfeiture found in the ſaid city of *Norwich*, to be to the mayor of the ſame city, and found in any other place, to the mayor, or bailiffs of the cities, boroughs, and towns, or to the chief lords of the fee, of and in ſuch place, as ſhall happen any ſuch worſteds and ſtuff by the ſaid wardens, or by any of them, by any cauſe aforeſaid, to be found defective or forfeitable; and the other half to the wardens of the ſaid craft for the time being. (3) And that no man of the ſaid craft make any worſted, unleſs he put his proper mark fixed or woven upon the ſame, by the ordinance of the ſaid wardens, or elſe the ſaid worſted ſhall be forfeit to our ſaid lord the King.

Defective ſtuff ſhall be forfeit.

Every man ſhall ſet his proper mark upon his worſted.

Places of ſearch ſhall be appointed and alſo days.

VI. Moreover, for the full reformation of the deccits and falſhoods above rehearſed, by authority aforeſaid it is ordained and enacted, That the ſaid eight wardens, the ſaid *Monday* next after *Corpus Chriſti*, yearly, incontinently after their charge above recited before the ſaid mayor and ſteward, or one of them, ſhall aſſign incontinently a certain place, or two, within the ſaid city, and certain days by the week, and another certain place, or two, or more, if they think it neceſſary, in the ſaid county of *Norfolk*, and certain days by the week for the year then next following, to the intent that every piece of worſted, which in the ſame year ſhall be ſet to ſale, ſhall be brought before the wardens of the ſaid craft for the time being, to one of the ſaid places ſo by them aſſigned, to the intent, that as well the artificers of worſteds, and the ſaid wardens, may certainly know the place where the ſaid worſteds may duly and rightfully be ſearched. (2)

Wardens ſhall ſet their mark.

And if the ſaid wardens find the ſaid worſteds by their ſearch well and lawfully made, that then ſuch a mark or token ſhall be ſet by the ſaid wardens, or by one of them, without fine or fee, upon the ſame, ſo that all buyers may well know which piece is ſufficiently and rightfully ſearched and wrought; and that the ſaid ſearch ſhall as well extend to the ſtuff of the ſame, as to the ſufficient making: (3) And ſuch as they ſhall find defective, that the mayor of the ſaid city, and ſteward of the ſaid duchy, or one of them for the time being, by the aſſent of the

tinent une certein lieu ou deux deinz la dite citee & certeins jours par ſeptmaigne & une autre certeine lieu ou deux ou pluſours ſils quident boſoignable en le dit countee de Norff' & certeins jours par ſeptmaigne pur lan adonqes proſchein enſuant a lentent qe cheſcun pece de wurſtede qe en cell an ſerra mys a vend ſoit apporte devaunt les gardeins de la dite art pur le temps eſteant al une de meſmes les lieux iſſint par eux aſſignez a lentent qe auxibien les artificers des wurſtedes come les ditz gardeins ſavoir puiſent en certein le lieu lou les ditz wurſtedes puiſſent duement & droitement eſtre ſerchez. Et ſi les ditz gardeins trovent les ditz wurſtedes par lour ſerche bien & loialment faitz qe lors par les ditz gardeins ou par une deux ſaunz fine ou fee illeoqes ſoit mys ſur ceo tiel ſigne ou token iſſint qe toutz achatours bien ſavoir puiſſent qil eſt ſufficialment & droitment ſerche & overee et qe le dit ſerche extende ſibien a le ſtuff dicell come a la ſufficient faiſure & tielx quellx ils trovent defectifs qe le mairede la dite citee & ſeneſchall de le dit duchie ou une deux pur le temps eſteantz par aſſent par les ditz gardeins & xij. artificers averont ou avera poair par ceſt acte de mettre en icell tiel correction come par eux ſemblera reſonable & qe pur cheſcun pece de wurſtede venduz nient ſignez en fourme avauntdit qe le primer vendour dicell forface le price del pece iſſint par luy vendue a noſtre dit ſeignur le Roy et qe toutz ordenaunces actes & grauntes faitz ou affairez en prejudice ou contrarie de les premiſſes concernantz

wur-

wurſtedes ſoient voidez & de null effect.

Et qe toutz maires viſcountes & baillifs & toutz autres officers ſoient entendauntz aidantz & ſupportantz a les ditz gardeins en lour ſerches ſi ſovent come ceux ou aſcun deux ſerront ou ſerra par les ditz gardeins ou par aſcun diceux reſonablement requis.

the ſaid wardens and twelve artificers, ſhall have power by this act to ſet therein ſuch correction as to them ſhall ſeem reaſonable; and for every piece of worſted ſold, not marked after the form aforeſaid, That the firſt ſeller thereof ſhall forfeit the price of the piece ſo by him ſold, to our lord the King; (4) and that all ordinances, acts and grants made or to be made in prejudice, or contrary to the premiſſes concerning worſteds, be void, and of none effect.

All officers ſhall be attendant upon the ſearchers. 20 H. 6. c. 10. 23 H. 6. c. 4. 14 & 15 H. 8. c. 3.

VII. And that all mayors, ſheriffs, and bailiffs, and all other officers, ſhall be attending, aiding, and ſupporting to the ſaid wardens in their ſearch, as often as they or any of them ſhall be by the ſaid wardens, or any of them, reaſonably required.

CAP. II.

For cloths made in the hundreds of Lifton, Taviſtock, *and* Rowburgh *in* Devonſhire.

The inhabitants of certain hundreds in the county of Devon may put flocks in the cloths made of the wool growing in the ſame hundreds. 4 Ed. 4. c. 1.

ITEM monſtre fuit a noſtre dit ſeignur le Roy en le dit parlement par les enhabitantz & reſidentz de les hundredes de Lifton Taviſtoke & Roweburgh deinz le countee de Devoine qe come en la darrein parlement commencez a Weſtm' le xxixe jour dAprill lan de ſon reigne tierce & par diverſes prorogations & adjournamentes juſques le xxje jour de Januarie lan de ſon reigne quart continuez entre autres ordeigne fuiſt par auctorite meſme le parlement qe nulle perſone qe ferroiet ou ferroiet eſtre fait aſcun drap lanuz au vend a le feſt de Seint Peer appellez ladvincle delors proſchein enſuant ne metteroit en ou deſuis meſme le drap ne en la laine dont le dit drap ſerroiet fait aſcuns flokkes en aſcun manere ſur peine de forfeiture meſme le drap en quel aſcuns autielx flokkes ſerroient miſez ou mixtez come par la dite ordenaunce

ITEM *it was ſhewed to our ſaid lord the King in the ſaid parliament, by the inhabitants and reſidents of the hundreds of* Lifton, Taviſtock, *and* Rowburgh, *within the county of* Devon, *That whereas in the laſt parliament begun at* Weſtminſter *the nine and twentieth day of* April, *the third year of his reign, and by divers prorogations and adjournments continued till the* xxi *of* January, *in the fourth year of his reign, amongſt other things it was ordained by authority of the ſame parliament, That no perſon which ſhould make any woolen cloth to ſell, from the feaſt called Saint* Peter ad vincula *then next following, ſhould put in or upon the ſame cloth, nor in the wool whereof the ſaid cloth ſhall be made, any flocks in any wiſe, upon pain of forfeiture of the ſame cloth, wherein any flocks ſhould be put or mixt, as by the ſaid ordinance more plainly appeareth.* (2) *By which ordinance the ſaid in-*

inhabitants being within the ſaid hundreds, were likely to be undone, for that they have continually uſed, from the time whereof is no memory, to mix and put flocks in the cloth made there, of the wool growing within the ſame hundreds, without which flocks they might not, nor could make any cloth there to ſell, by reaſon of the groſſineſs and ſtubbornneſs of the ſaid wool; for the ſame wool is not put in cloathing, nor in cloth, in any part of this realm; ſo that our ſaid lord the King by the ſaid ordinance ſhall loſe his cuſtoms, aulnages, and all other profits pertaining and belonging to him of the ſaid cloth made in the ſaid hundreds, and the inhabitants aforeſaid for ever ſhall be utterly impoveriſhed, and like to be undone, unleſs a reformation be had in the premiſſes.

II. Our ſaid lord the King (the premiſſes conſidered) by the advice and aſſent of the lords ſpiritual and temporal, and the commons in this preſent parliament aſſembled, and by the authority of the ſame, hath ordained, that all the ſaid inhabitants and reſidents in any places within the ſame three hundreds, may make, and cauſe to be made, all manner of woolen cloth of the ſaid wool, and to the ſame lawfully put, and cauſe to be put, ſuch quantity of flocks as ſhall be needful and profitable to the maker and owner of the ſame cloth; and that all the cloths after ſuch form to be made with flocks within the ſaid three hundreds, and every of them, may be bought and ſold at all times, without any impeaching or damage of any perſon, and without forfeiting any of the ſaid cloths, notwithſtanding

naunce pluis pleinement appiert. Par quell ordenaunce les ditz enhabitantz eſteantz deinz les ditz hundredes furent ſemblables eſtre defaitz par cauſe qils ount continuelment uſez de temps qe null memoire eſt de commixtre & mettre flokkes en le drap illeoqes fait de laine creſſant deinz meſmes les hundredes ſaunz quelx flokkes ils ne poiont ne ſavont feere aſcun drap illeoqes a vend par cauſe del groſſure & ſtobourneſſe de meſme laine qar la dite laine neſt pas mys en drapeur ne en drap en aſcun part de ceſt roialme iſſint qe noſtre dit ſeignur le Roy perdera par la dite ordenaunce ſez cuſtumes aulnage & toutz autres profites a luy en cell part parteignauntz & regardauntz del dit draps fait en les dit draps fait en les ditz hundredes & les enhabitantz avauntditz pur toutz jours toutautrement ſerroient empoveriſhez & ſemblablez deſtre deſtroiez ſinoun qe reformation ſoit eue en les premiſſes.

Noſtre dit ſeignur le Roy les premiſſes conſiderez ad ordeigne par advis & aſſent des ſeignurs eſpirituelx & temporelx & les communez en le dit parlement aſſemblez & par auctorite del meſme qe toutz les ditz enhabitantz & reſidentz es aſcuns lieux deinz les ditz trois hundredes puiſſent faire & fere eſtre faitz tout manere drap lanuz du dite laine & en icell licitement mettre & fere eſtre mys tiel quantite des flokkes come ſerra boſoignable & profitable al feiſour & poſſeſſour meſme le drap & qe toutz les draps en tiel fourme ove flokkes eſtre faitz deinz les ditz trois hundredes & cheſcun deux puiſſent eſtre achatez & venduz a toutz temps

temps ſaunz aſcun empeſchement ou damage daſcune perſone & ſaunz forfaiture daſcun de les ditz draps la dite ordenaunce deſuis reherſee nient contriſteant.

withſtanding the ſaid ordinance above rehearſed.

5 & 6 Ed. 6. c. 6.
27 El. c. 17.

CAP. III.

For woolen yarn and cloths unfulled, not to be carried out of the realm.

ITEM monſtre fuiſt en le dit parlement par les communez qe come en diverſes parties deinz ceſt roialme de jour en autre eſtoit uſe per merchantes ſibien eſtraunges come deinſzeins dachater file lanuez par les livres & autres poiſes es diverſes merchies & feires dont drap ſerroit fait & ſemblablement dachater draps crudes nient fullez & meſmez le file & drap crude ſi nient fulle cariont oultre le meere pur toutz queux file & draps nient fullez noſtre dit ſeignur le Roy nulle manere cuſtume aulnage ne null autre profit ne availle priſt lou ſi le dit file fuiſſent triſte & le dit draps fullez deinz le roialme le Roy averoit la cuſtume & aulnage pur les meſmes & textours & fullours le dit roialme ſerroient bien occupiez pur defaute de qoy les lieges de noſtre dit ſeignur le Roy ſont graundement endamagez & empoveriſshez & eſtranges parent le mieulx occupiez & enrichez. Si ad noſtre dit ſeignur le Roy de laſſent des ſeignurs eſpirituelx & temporelx en le dit parlement aſſembleez & a la requeſt des ditz communez & par auctorite de meſme le parlement ordeigne & eſtablie qe nulle perſone deinſzein ou eſtrange a le feſt de laſſumption qi ſerra en lan noſtre Seignur Dieu Mille cccclx viij. carie ou face deſtre cariez as aſcuns parties dela le mere aſcun

ITEM, *it was ſhewed in the ſaid parliament by the commons, That whereas in divers parts within this realm, merchants, as well ſtrangers as denizens, have daily uſed to buy woolen yarn by the pound, and other weights, in divers markets and fairs, whereof cloth ſhould be made*; (2) *and likewiſe to buy raw cloths not fulled, and the ſame yarn and raw cloths ſo not fulled, did carry beyond the ſea, for all which yarn and cloths unfulled, our lord the King did take no manner cuſtom, aulnage, nor any other profit or avail*; (3) *where if the ſaid yarn were woven, and the ſaid cloths fulled within this realm, the King ſhould have the cuſtom and advantage for the ſame, and weavers and fullers of the ſaid realm ſhould be well occupied*; *for default whereof the King's liege people be greatly hurt and impoveriſhed, and ſtrangers thereby the better occupied and enriched.* (4) Wherefore our ſaid lord the King, by the aſſent of the lords ſpiritual and temporal, and at the requeſt of his commons, in the ſaid parliament aſſembled, and by the authority of the ſame, hath ordained and eſtabliſhed, That no perſon, denizen or ſtranger, from the feaſt day of the *Aſſumption*, which ſhall be in the year of our Lord God 1468, ſhall carry, or cauſe to be carried, into any parts beyond the ſea, any woolen yarn, or cloth not fulled,

No woolen yarn or cloth ſhall be carried beyond ſea, unfulled.
3 H. 8. c. 7.
8 El. c. 6.

led, but that the woolen yarn which ſhall be made after the ſame feaſt day in this realm, ſhall be woven in the ſame realm. (5) And alſo all cloth therein made, after the ſaid feaſt day, ſhall be fulled, and fully wrought within the ſaid realm, before that it be had and carried out of this realm, upon pain of forfeiture of the very value of all ſuch yarn unwoven, and cloth not fulled, had or carried out of this realm; (6) the one half of the ſame forfeiture to be levied to the King's uſe, and the other half thereof to him or them that eſpieth or maketh proof of any ſuch unwoven yarn, or cloth not fulled, after the ſaid feaſt day, to be carried to any place beyond the ſea.

3 H. 7. c. 11.
50 Ed. 3. c. 7.

aſcun file lanuz ne drap nient fullez mes qe le file lanuz affaire puis meſme le feſt en ceſt roialme ſoit texez en icell. Et auxi tout drap en icell fait apres le dit feſt ſoit fullez & pleinement overez deinz le dit roialme devaunt qe aſcun dicell ſoit eue & carie hors de ceſt roialme ſur peine de forfaiture de le verray value de tout tiel file nient texe & drap nient fulle euez ou cariez hors de ceſt roialme la moite de meſme la forfaiture deſtre levez al oeps noſtre dit ſeignur le Roy & lautre moite de ceo a luy ou ceux qi eſpiera ou eſpieront ou ferra ou ferront prove daſcun tiel file nient texe ou drap nient fulle puis le dit feſt eſtre cariez a aſcun lieu doutre le mere.

CAP. IV.

The effect of the King's grant of lands to them which before had right in them.

Ex edit. Pult. The force of the King's grants, releaſes, &c. of lands to them which before had right to them.

ITEM, by the advice, aſſent and authority aforeſaid, it is ordained, That every grant, releaſe, confirmation and reſtitution made and granted by the King in fee-ſimple or fee-tail, to any perſon or perſons after the fourth day of *March*, the firſt year of his reign, of any manor or manors, lands or tenements with their appurtenances, whereunto the ſaid perſon or perſons before the time of every ſuch grant, releaſe, confirmation or reſtitution to him or them ſo made, had in or to the ſame right or title, ſhall be of ſuch force and effect as they were before the beginning of the ſaid parliament: any act made or to be made in the ſame parliament notwithſtanding.

CAP. V.

How lands coming to the King's hands by attainder, and after granted to another, ſhall be holden

Lands holden of a common perſon by fealty, &c. coming to the King's hands by attainder of treaſon, being after granted to another ſhall be holden as

ITEM, by the advice, aſſent and authority aforeſaid, it is ordained, That all lands, tenements, hereditaments, and other poſſeſſions, which the firſt day of *March*, next before the fourth day of *March*, the firſt year of the King's reign, were holden by fealty and rent, or other ſervices, of any perſon or perſons not attainted, which lands, tenements, hereditaments, or other poſſeſſions the fourth day of *March*, the firſt year of the King's reign, or any time after came into the King's hand or poſſeſſion, by reaſon of any attainder of treaſon, and after paſſed from the King by any of his letters patents, to any perſon or perſons, or hereafter

hereafter ſhall paſs from the King by any of his letters patents, to any perſon or perſons, that the ſame perſon or perſons, and every of them, and every their heir and heirs, aſſignee and aſſignees, ſucceſſor and ſucceſſors ſhall have, perceive and take ſuch rent and rents, as to any of them were due, and ought to be due of the ſame lands, tenements, hereditaments, or other poſſeſſions, or any of them being in the hands of any other perſon or perſons than the King, as if the ſaid attainders had not been had. (2) And that it ſhall be lawful to every perſon or perſons not attainted, and to every of them, and to every of their heir or heirs, aſſignee and aſſignees, ſucceſſor and ſucceſſors in the ſame lands, tenements, hereditaments or other poſſeſſions, being in the hands of any other perſon or perſons than of the King, for the ſaid rent or rents to diſtrain, after ſuch manner and form as they and every of them might have done, if the ſame attainders had not been had. This act to be in his force the firſt day of this ſaid parliament.

if the ſame attainder had not been.

Statutes made at *Weſtminſter*, *Anno* 8 EDW. IV. and *Anno Dom.* 1468.

NOSTRE ſeignur le Roy *Edward* puis le conqueſt quart a ſon parlement commencez a Weſtm' le tierce jour de June lan de ſon reigne ſeptiſme & par diverſes prorogations & adjornamentes juſqes le xije. jour de May lan de ſon regne oept continuez meſme le xije. jour de ladvis & aſſent des ſeignurs eſpirituelx & temporelx & a la ſpeciall requeſt des communez en meſme le parlement aſſemblez ad fait ordeigner & eſtablier diverſes ſtatutes & ordenaunces en la fourme qenſuit.

OUR *lord the King* Edward *the Fourth after the conqueſt, at his parliament holden at* Weſtminſter *the third day of* June, *the ſeventh year of his reign, and by divers prorogations and adjournments continued till the twelfth day of* May, *the eighth year of his reign; the ſame twelfth day, by the advice and aſſent of his lords ſpiritual and temporal, and at the ſpecial requeſt of his commons, in the ſaid parliament aſſembled, hath made, ordained, and eſtabliſhed divers ſtatutes and ordinances in the form following.*

CAP. I.

An act concerning ſet cloths.

FIRST, becauſe it was ſhewed in the ſaid parliament, by the commons there being, concerning the clothmakers and inhabitants within the county of *Norfolk*, *Suffolk*, and *Eſſex*, that whereas long time paſt there hath been a good common uſage within the ſame counties, by the clothmakers there, that divers woolen cloths called broad ſet cloths, and other called ſtreit ſet cloths, that is to ſay, the ſet broad cloths every cloth to contain after their ſufficient workmanſhip thereto required

The length, breadth, and weight of broad ſet cloths and ſtreit ſet cloths made in Norfolk, Suffolk, and Eſſex; and they ſhall

be ſealed by the aulnager. Rep. 5 & 6 Ed. 6. c. 6.

quired ready to ſale xxviij. yards and xxvij. inches in length by the creſt, and in breadth ſeven quarters within the liſts directly from one end of the cloth to the other end of the ſame. And every cloth of the ſaid ſet broad cloths ſo made ready to ſale to weigh xxxviij. pound at the leaſt or more. And the ſaid cloths called ſtreit ſet cloths to contain after their ſufficient and rightful workmanſhip thereto required ready to ſale, in length xiiij. yards and xiiij. inches meaſured by the liſt. And in breadth iij. quarters and di. quarter of a yard within the liſts directly from one end to the other. And every cloth of the ſaid ſtreit ſet cloths ſo made ready for ſale, to weigh ix. li. and di. at the leaſt or more, whereby the ſaid clothmakers and inhabitants in the ſaid counties did greatly proſper, and had great profit and good utterance of the ſaid cloths and the King greatly increaſed in his cuſtoms, till now of late that divers and many of the inhabitants and clothmakers within the ſaid counties, by ſubtil imagination craft and colluſion did and now do make cloths there, naming ſome of them broad ſet cloths, and ſome of them ſtreit ſet cloths. The which ſo named broad ſet cloths, the cloth paſſed not the length of xxvj. yards, and ſome leſs, and in breadth no more but ſix quarters and ſome leſs, and in weight not above xxviij. pounds and ſome leſs. And the ſaid cloths called ſtreit ſet cloths, the cloth paſſed not the length of xij. yards, and ſome leſs, and in breadth but half a yard and half a quarter of a yard and ſome leſs, and in weight not over ſeven pounds and ſome leſs. By reaſon of which deceits, as well in the undue workmanſhip as in default of length breadth and weight, the ſaid clothmakers and inhabitants within the ſaid three counties, have not had nor may have utterance into ſtrange parts nor to have profit of the ſaid cloths made after the form aforeſaid, becauſe of the not due making aforeſaid, to the great damage and utter undoing of the faithful clothmakers inhabiting within the ſaid counties, and great damage to the King of his cuſtoms and devoirs in this behalf: our ſaid ſovereign lord the King (the premiſſes conſidered) by the advice and aſſent of the lords ſpiritual and temporal, and at the requeſt of his commons being in the ſaid parliament and by the authority of the ſame, hath ordained and eſtabliſhed, That all the ſaid cloths called broad ſet cloths, and ſtreit ſet cloths, and every of them, which ſhall be made within any of the ſaid counties after the firſt day of *Auguſt*, which ſhall be in the year of our Lord God one thouſand four hundred threeſcore and eight, ſhall be rightfully made in the form enſuing. That is to ſay, every of the ſaid cloths called broad ſet cloths, after they be ſufficiently, perfectly, and rightfully made, clean ſcoured, fully ſearched, and ready to ſale, ſhall contain in length xxviii. yards, and xxviii. inches meaſured by the creſt, and in breadth ſeven quarters within the liſts directly from one end of the ſaid cloth unto the other. And every of the ſaid broad ſet cloths after all the ſaid ſufficient and perfect workmanſhip, clean ſcouring, and full ſearching, and made ready to ſale ſhall weigh xxxviij. pounds at the leaſt.

And

And alſo that every of the ſaid ſtreit ſet cloths, which ſhall be made in any of the ſaid counties after the ſaid firſt day of *Auguſt*, after all manner ſufficient perfect and right workmanſhip, clean ſcouring, and full ſearch, and ready to ſale, ſhall contain in length fourteen yards and fourteen inches meaſured by the liſt, and in breadth three quarters and half quarter of a yard within the liſts directly from one end to the other. And every of the ſaid ſtreit ſet cloths after all the ſaid ſufficient and perfect workmanſhip, clean ſcouring, and full ſearching, and made ready to ſale, ſhall weigh nine pounds and a half at the leaſt. And that all the ſaid cloths, called broad ſet cloths, and ſtreit ſet cloths, which ſhall be made within any of the ſaid counties after the ſaid firſt day of *Auguſt*, of right and perfect workmanſhip, according to this ordinance, ſhall be ſealed by the King's aulnager or ſealer, with the ſeals of the ſubſidy and aulnage within every of the ſaid counties therefore ordained printed in wax. And that no perſon or perſons, after the ſaid firſt day of *Auguſt*, ſhall offer nor put to ſale any of the ſaid cloths, called broad ſet cloths or ſtreit ſet cloths, not keeping full length, breadth, and weight, or not clean ſcoured or fully ſearched according to this ordinance, upon pain of forfeiture of the ſame, the one half thereof to the uſe of our ſaid ſovereign lord the King, and the other half thereof to the party that ſhall eſpy and ſeiſe the ſame. And that no perſon or perſons after the ſaid firſt day of *Auguſt*, ſhall tach, pack, or carry any of the ſaid cloths, called broad ſet cloths, or ſtreit ſet cloths, out of any of the ſaid counties, unleſs the ſame be ſealed by the King's aulnager, or ſealer, after the manner above ordained by this ordinance, upon pain of forfeiture of the ſame, the one half to the King, and the other half to the party which ſhall eſpy and ſeiſe the ſame. And if any aulnager, or any of his deputies within any of the ſaid counties, ſhall ſeal any of the ſaid ſet cloths, not containing the ſame length, breadth, and weight aforeſaid, that then he ſhall forfeit for every broad cloth ſo ſealed, ſix ſhillings eight pence. And for every of the ſtreit ſet cloths ſo ſealed xx. d. the one half of the ſame forfeiture to be paid to the uſe of our ſaid ſovereign lord the King, and the other half to him that will ſue for the ſame by action of debt, by writ or bill in any of the King's courts, at his election that will ſue in this behalf. And in the ſame action to recover over and beſide the ſaid forfeiture, ſuch coſts and damages as be commonly uſed in an action of debt ſued at the common law.

CAP. II.

An act concerning liveries of company.

ITEM, our ſovereign lord the King, remembring that where in times paſt divers ſtatutes have been made for the puniſhment of ſuch perſons, which give or receive liveries, with divers pains and forfeitures compriſed therein: and that yet divers perſons in great number, having no dread of the ſaid pains and forfeitures, do daily offend againſt the form of the ſame: by the advice

The penalty for giving or taking of liveries, or for retaining. Rep. 3 Car. 1. c. 4.

advice and aſſent of the lords ſpiritual and temporal, and at the prayer of the commons of this realm, being in the ſaid parliament, and by authority of the ſame, hath ordained and eſtabliſhed, that all ſtatutes and ordinances made before this time againſt any perſons for giving or receiving of liveries and badges, ſhall be fully obſerved and kept. And moreover, that no perſon, of what eſtate, degree or condition that he be, by himſelf or any other for him, from the feaſt of the nativity of Saint *John Baptiſt*, which ſhall be in the year of our Lord God, M.CCCC.lxviii. ſhall give any ſuch livery or badge, or retain any perſon other than his menial ſervant, officer, or learned man in the one law or the other, by any writing, oath, or promiſe, and if any do the contrary, that then he ſhall run in pain and forfeiture for every ſuch livery or badge, giving a C. s. and the retainer or taker of ſuch oath, writing or promiſe, or retainer by indenture, for every ſuch retaining or taking of any ſuch oath or promiſe or retaining by indenture, ſhall incur the pain and forfeiture of one hundred ſhillings for every month that any ſuch perſon is ſo retained with him, by oath writing, indenture, or promiſe. And alſo that every perſon ſo retained, by writing, indenture, oath, or promiſe, for every ſuch month that he is ſo retained, ſhall forfeit and loſe one hundred ſhillings. And moreover the King, by the advice, aſſent, and authority aforeſaid, hath ordained and eſtabliſhed, That as well before the King in his bench, as before the juſtices of the common place, juſtices of peace in their ſeſſions, juſtices of *Oyer* and *Terminer*, and gaol delivery; the King's juſtices in his counties palatine of *Lancaſter* and *Cheſter*, for the time being, in every of thoſe the King's courts aforeſaid, before them or any of them; and in the regalty and court of the archbiſhop of *York* in *Hexhamſhire* before the juſtices there: and in the court of the biſhop of *Durham*, in the county palatine of *Durham*, before the juſtices there, every perſon that will ſue or complain againſt any perſon or perſons offending or doing againſt the form of this ordinance, or any other of the premiſſes: ſhall be admitted by the diſcretion of the judges in every of the ſaid courts, to give information for the King therein, of any of the premiſſes within the juriſdiction of every of the ſaid courts done or committed. And every ſuch informer, if he will, ſhall be admitted to ſue for the King and himſelf, action for action upon the ſame by information to be given or made in any of the ſaid courts, againſt as many ſuch offenders in one bill or information to be named as liketh him, which ſo informeth. And this information ſo given ſhall ſtand and be inſtead of a bill, or original writ. And that thereupon all ſuch proceſs ſhall be had and made, as is had and made upon an original writ of treſpaſs done againſt the King's peace. And if any of the offenders be preſent in any of the ſaid courts, he by the commandment of every of the judges in the ſame courts, ſhall be brought in and put anſwer to ſuch bill or bills by ſuch information, by an oath firſt to be made upon a book by the informer, before any of the ſaid judges, that his complaint is rightful

rightful without any other or further proceſs therein. And that the ſame judges and every of them, in every of the ſaid courts, ſhall have power in their ſeveral juriſdiction, to examine all perſons defendants, and every of them, upon every ſuch information, and to judge him or them convicted or attainted as well by ſuch examination as by trial, as the caſe requireth, after the diſcretion of the judges: and alſo ſhall be charged by the judgment in the ſame to the perſon complainant or informer in this behalf, of all the coſts had in the ſame, by the diſcretion of the judges and judge in the ſame. And alſo the ſame party complainant to have the one half of the ſaid forfeitures, and the King the other half. And all ſuch execution to be had for the informer in this behalf, as is had, or ought to be had in recoveries of debt or treſpaſs at his pleaſure. And that no protection nor eſſoin be allowed upon any ſuch information. And that no ſheriff nor coroner return upon any defendant being a perſon ſufficient, in any ſuit grounded upon any of the premiſſes returned ſufficient, any leſs iſſues than twenty ſhillings at the firſt day of the diſtreſs: and at the ſecond day xxx. s. and at the third day forty ſhillings, and ſo at every day after, more by ten ſhillings in iſſues. And if any ſheriff or coroner do the contrary, that then he ſhall forfeit for every ſuch return againſt the form aforeſaid, twenty ſhillings. And alſo by the advice, aſſent, and authority aforeſaid, it is ordained, That in every city, borough, town, and port of this realm corporate, wherein the mayor, ſheriffs, bailiff or bailiffs, or other chief officer of ſuch city, borough, town or port, have power to hear and determine perſonal pleas: the ſame mayor, ſheriffs, ſheriff, bailiff or bailiffs, or chief officer in the court holden before them or any of them, within any ſuch city, borough, town, or port, ſhall have all like and ſuch authority to receive ſuch information as to hear and determine as well by examination, as by trial by their diſcretion; all things done concerning the premiſſes, by, or to the inhabitants within the juriſdiction of the ſame court. And to make and to put this ordinance in execution, in like manner and form as is above ordained. And that our ſovereign lord the King, ſhall have the one half of the forfeiture, and the informer therein, and the mayor, ſheriffs, ſheriff, bailiff or bailiffs, or chief officer of ſuch city, borough, town or port, to have the other half equally to be divided betwixt them: whereof the part pertaining to the mayor, ſheriffs, ſheriff, bailiff or bailiffs, or chief officer, ſhall be applied to the uſe of ſuch city, borough, town, or port. And that all retainings, and every retaining by indenture or other writing oath or promiſe of any perſon made before the ſaid feaſt, other than to be menial ſervants or officer, or of his council, or for lawful ſervice done or to be done, ſhall be from the ſaid feaſt utterly void and of no force nor effect. Alſo it is ordained and eſtabliſhed, by the advice, aſſent, and authority aforeſaid, That our ſovereign lord the King, ſhall have the one half of all the ſaid pains and forfeitures, in manner and form before ordained: except in cities,

boroughs, towns, and divers other places, where any perſon or perſons have by reaſon of their privileges, liberties, franchiſes, or grants, like forfeitures and pains: and that every ſuch perſon or perſons, ſhall have the half of the ſaid forfeitures and pains made by this act, according to their privileges, liberties, franchiſes and grants, as the King ſhould have, if the ſaid privileges, liberties, franchiſes and grants had not been had, granted, nor made. Provided always, That this act extend not, nor be prejudicial to any gift, grant, or confirmation made, or to be had of any fee, annuity, penſion, rent, lands, or tenements, by the King or any other perſon or perſons, to any perſon or perſons for their council given or to be given, and their lawful ſervice done or to be done, and for none other unlawful cauſe: nor none other unlawful intent: although that the perſon or perſons to whom ſuch gift, grant, or confirmation is or ſhall be made, be not learned in the one law or in the other. Alſo it is ordained by the advice, aſſent, and authority aforeſaid, That every ſuch gift, grant, or confirmation, ſhall be of like force and effect, and as good, effectual, and available, as they and every of them were, if this act had not been made. And by the ſaid authority it is ordained, That no *Exigend* ſhall be awarded by any of the juſtices for the time being, within the ſaid counties palatine of *Lancaſter* and *Cheſter*, or either of them, or in the ſaid biſhoprick of *Durham*, againſt any perſon or perſons, upon any information, ſuit, or proceſs to be made by force of this ordinance and ſtatute. And if any *Exigend* be awarded, or an outlawry thereupon pronounced, in any information, ſuit, or proceſs to be made by virtue of this ordinance, as before is ſaid, that then ſuch outlawry ſhall be utterly void and of no force nor effect, without any ſuit or writ of error or otherwiſe. Provided alſo, That this ordinance do not extend to any livery given or to be given, at the King's or Queen's coronation, or at the ſtallation of an archbiſhop or biſhop, or erection, creation, or marriage of any lord or lady of eſtate, or at the creation of knights of the bath, or at the commencement of any clerk in any univerſity, or at the creation of ſerjeants of the law, or to give by any guild fraternity or myſtery corporate, or by the mayor and ſheriffs of the city of *London* or any other mayor, ſheriff, or other chief officer of any city, borough, town, or port of this realm of *England*, for the time being, during that time, and for executing their office, or occupation, nor to any badges or liveries to be given in defence of the King, and of his realm of *England*, nor to the conſtable and marſhal, nor to any of them for giving any badge, livery, or token for any ſuch feat of arms to be done within his realm, or to any wardens of the marches toward *Scotland* for any livery, badge, or token of them to be given from *Trent* northward, at ſuch time only as ſhall be neceſſary to levy people for defence of the ſaid marches or any of them.

CAP.

CAP. III.

In actions triable by jurors of Middlesex, *the jurors shall be called the fourth day.*

ITEM monstre fuist par les ditz communez en le dit parlement depar les franc tenauntes demurantz dedeinz le countee de Middlesex deinz quel countee annuelment sont plusours actions suez & trials par xij. hommes euez qe sont dedeinz plusours autres countees de ceste roialme causez par reseancie de toutz courtes du Roy tenuz & demurantz au Westm' deinz le dit countee issint qe en chescun action jointz al issue en le dit countee ascuns de les ditz franc tenauntes sont empanellez a lour graunt vexation & ensement outre les sessions de peas tenuz deinz le dit countee mesmes les franc tenauntes chescun temps par inquisitions en le banc le Roy & sur deliverance des prisones illeoqes & par actions sur patentz & tailles suez en leschequer du Roy & as viscontz & autres accomptantz lour deputees & attornees surmisez estre monstrez & issues sur ceo jointz & prisez empanellez en icell ils sont emportunement vexez grevez & empoverishez et qe pluis damage est quaunt ils sont empanellez en diverses actions personelx & les Venire facias & Habeas corpora retournez delaie per default ou essoin al partie pleignant ou defendant est alloue la ley accordant & mesque ascun de les empanellez adonqe voudroit apparoier enqore la jurr' ne serra demaunde mes toutz lour defaultes saunz demaunder soit il amerciament ou issues issint sur eux retournez serront entrez esteant null

ITEM, *It was shewed by the commons in the said parliament, on the behalf of the freeholders dwelling within the county of* Middlesex, *within which county there be yearly many actions sued, and trials had by twelve men,* more than *be within many other counties of this realm, in regard of the reliance of all the King's courts holden and remaining at* Westminster *within the said county, so that in every action brought to an issue in the said county some of the said freeholders be impanelled, to their great vexation:* (2) *and also besides the sessions of peace holden within the said county, by inquisitions in the King's bench, and upon the deliverance of prisoners there, and by actions upon patents and tailles sued in the King's exchequer, and to sheriffs and other accountants, their deputies and attornies, surmised to be shewed, and issues thereupon joined and taken, the same tenants always impanelled thereupon be importunately vexed, grieved, and impoverished;* (3) *and, which more hurt is, when they be impanelled upon divers actions personal, and the* Venire facias *and* Habeas corpora *returned, a delay by essoin or default is by the law allowed to the party plaintiff or defendant;* (4) *and though some of them which be impanelled would appear, yet the jury should not be demanded, but all their defaults without demanding (be it amerciaments or issues so upon them returned) shall be entered, no default being in them, which is against reason.* (5) Our lord the King (the premisses considered)

The several charges and troubles which the freeholders of Middlesex, being jurors, endure. 4 Geo. 2. c. 7.

In actions triable by jurors of Middlesex,

the jurors ſhall be called the fourth day after the return.

ſidered) by the advice of the lords ſpiritual and temporal, and at the requeſt of the commons, in the ſaid parliament aſſembled, and by authority of the ſame, hath ordained, That every juror, from the feaſt of the bleſſed *Trinity* next coming, that ſhall be impanelled and returned within the ſaid county of *Middleſex*, in any of the ſaid courts, in any of the ſaid actions, at every fourth day of the return thereof ſhall be demanded and called, (6) and that all perſons impanelled in any of thoſe courts that do appear at the ſame day, their appearance ſhall be recorded, and there entered by the court, and they ſhall not be amerced, nor loſe any iſſues the ſame day in that ſuit. (7) And it is ordained by the ſame authority, That every default, eſſoin, and every other delay of any perſon, plaintiff or defendant, in any ſuch perſonal action by the law heretofore uſed, by this ordinance ſhall not be prejudiced nor taken away in any manner, but be adjudged, adjourned, and allowed in as ample and large form, as they were before the making of this ſtatute, this ordinance notwithſtanding.

null default en iceux qoy eſt encontre reaſon. Noſtre dit ſeignur le Roy les premiſſes conſiderez de ladvis des ſeignurs eſpirituelx & temporelx & a la requeſt de ſes communes en le dit parliament eſteantz & par auctorite del meſme ad ordeigne qe cheſcun jurr' a le feſt del benoit Trinite proſchein venaunt denpaneller & a retourner dedeinz le dit countee de Middleſex en aſcun de les ditz courtes al cheſcun quart jour de retourne dicell ſoit demaundes & appelles et qe tantz perſones empanellez en aſcun diceux come apparont a cell jour qe leure apparence ſoit recorde & la entre par la court & ne ſoient amerciez ne perdent aſcuns iſſues celle jour en icell ſute. Et ordeignez eſt par la dit auctorite qe la default eſſoin & cheſcune autre delaie daſcune perſone pleignaunt ou defendaunt en aſcun tiel action perſonel par la ley cydevaunt uſez par ceſt ordenaunce ne ſoient prejudices ne tolles en aſcun maner mes eſtre adjuggez adjournez & allouez en ſi ample & large fourme ſicome ils furent devaunt la faiſure de ceſt ordenaunce ceſt ordenaunce nient contriſteant.

Delays in perſonal actions not prejudiced by this ſtatute.

CAP. IV.

For ſheriffs.

Ex edit Raſt. Sheriff. A pardon to all thoſe that occupied the ſheriffwick above one year, An. 1, 2, 3, Ed. 4. and yet the ſtatutes made 14 Ed. 3. ſtat. 1. c. 7. 42 Ed. 3. c 9. and 23 H. 6. c. 8. for all the

ITEM, whereas in the fourteenth year of the reign of King *Edward* the Third, progenitor of our ſovereign lord the King that now is, it was ordained, That no ſheriff ſhould abide in his office over a year. And in the two and fortieth year of the reign of the ſame King *Edward* the Third, it was ordained that no ſheriff, nor underſheriff, nor ſheriff's clerk, ſhould abide in his office over a year, which ordinances amongſt other in the twenty third year of the reign of the late pretenſed king indeed, and not of right, *Henry* the ſixth, in the full parliament were rehearſed, and by authority of the ſame it was ordained, That if any ſheriff, underſheriff, or ſheriff's clerk, other than in the ſame ordinances was excepted, ſhould occupy the office of ſheriff, underſheriff,

undersheriff, or sheriff's clerk, contrary to any of the said ordinances, that then he that so should occupy, should forfeit the sum of two hundred pounds. And that every pardon from thenceforth to be made of such forfeiture of the said sum, should be void and not vailable. And that every liege man, that would sue for the same sum forfeit against him or them, which so should forfeit, should be received and admitted to sue an action of debt in his own name: the King to have the one half of that, that should be recovered by the said action, and he or they that so would sue, to have the other half thereof, as in the said ordinance, made the said twenty third year, doth more fully appear. Contrary to which ordinances divers sheriffs, undersheriffs, and sheriffs clerks, of divers counties of this realm, in the first, second, and third years of the reign of our sovereign lord the King that now is, then being in this realm great trouble, and peace then not fully established, did occupy over a year, some of them by a greater space over a year, and some by a less, caused in divers parts of this realm by the said trouble, and in some parts because that none other sheriff was ordained by long space after the year past: our said sovereign lord the King, by the advice and assent of the lords spiritual and temporal, and at the request of his commons in the said parliament assembled, and by authority of the same hath ordained and stablished, That no manner person being sheriff, undersheriff or sheriff's clerk, of any county of this realm, the first, second or third year of his reign, or any time or space within the same, for the occupation of the office of sheriff, undersheriff, or sheriff's clerk, in the three years, or any part or space within the same or of the same, or any of the same, above a year, although their occupation were against the ordinances before recited, nor none of them be damnified, nor in anywise hurt by any action pain or forfeiture in the same ordinances, or in any of them comprised, at the suit of our said sovereign lord the King, nor at the suit of any of his liege people, but that the same sheriffs, undersheriffs, and sheriffs clerks, and every of them, of and for every pain, action, and forfeiture pursued or to be pursued, levied or forfeited of them or any of them, by our said sovereign lord the King, or any of his liege people, for their occupying of the said three years, or any space or time within the same, be quit and discharged for ever by this act. The said ordinances, or any of them made before the time notwithstanding. Yet nevertheless the same ordinances and every of them shall remain in their strength and force against all sheriffs, undersheriffs, and sheriffs clerks, for their occupation of all other years, than the said three years as aforesaid, as the same ordinances were before this act made

other years shall continue.

Pardon.

Sheriffs clerks.

Statutes made at *Weſtminſter*, *Anno* 12 EDW. IV. and *Anno Dom.* 1472.

AT *the parliament holden at* Weſtminſter *the ſixth day of* October, *in the twelfth year of the reign of King* EDWARD *the Fourth after the conqueſt; our ſaid ſovereign lord the King, to the honour of God, and the weal of him, and of his realm, by the advice and aſſent of the lords ſpiritual and temporal, and at the requeſt of his commons, in the ſame parliament aſſembled, and by authority of the ſame parliament, hath ordained made, and eſtabliſhed certain ſtatutes and ordinances in form following.*

AUparlementtenuzaWeſtm' le vje. jour Doctobre lan du reigne du Roy EDWARD le quart puis le conqueſt xije. meſme noſtre dit ſeignur le Roy al honour de Dieu, & pur le bien de luy & de ſon roialme, del advys & aſſent dez ſeignurs eſpirituelx & temporelx & a la requeſte de ſez communes, en meſme le dit parlement aſſemblez, & per auctorite de meſme le dit parlement, ad fait ordeigner & eſtablier certeins eſtatuitz & ordenauncez en la fourme qe enſuiſt.

CAP. I.

How long a ſheriff, not being diſcharged, may occupy his office.

23 H. 6. c. 8.

FIRST, *whereas by a ſtatute made at* Weſtminſter, *in the twenty third year of the reign of King* HENRY, *late in deed, and not of right, King of* England, *called King* HENRY *the Sixth, it was ordained, That no ſheriff ſhould occupy his office of ſheriff above a year, upon pain of two hundred pounds; (2) except certain perſons in the ſaid ſtatute excepted, as in the ſame is more plainly ſpecified: (3) divers and many of the King's liege people have been grievouſly indamaged, and greatly delayed of their ſuits and proceſſes every year, in the term called* Michaelmas *term, as for their actions, writs, and precepts to be returned within the ſame term, after the ſixth day of the month of* November, *becauſe that the King's letters patents whereby any ſheriff is made, do moſt commonly bear date the ſixth day of* November, *(4) and though it ſo be, that the new ſheriffs be yearly choſen the morrow after*

PRimerement, pur ceo qe per eſtatuit fait a Weſtm' en lan du reigne du Roy HENRY jadys en fait & nient de droit Roy Dengleterre, appellez le Roy HENRY le vje. puis le conqueſt xxiij. eſtroit ordeigne, qe null viſcount occupieroit ſon office de viſcount ouſtier un an, ſur payne ne CC. li. except certeins perſons en meſme leſtatuit exceptz, come en ycelle eſt pluis pleynement eſpecifiez; diverſez & pluſours dez liegez du Roy ount eſtez grevouſment endamages & graundement delaiez de lour ſuitez & proceſſez cheſcune an en le terme appellez Michel terme, come pur lour actions briefs & preceptz deſtre retournez deinz meſme le terme apres le vje. jour du mois de Novembr', pur ceo qe lez lettres patentz du Roy, per les quels aſcune tiel viſcount eſt fait, portent date pluis communement le vje. jour de Novembre; & communement qil

ſoit,

ſoit, qe novels viſcountz ſoient annuelment eſlieux en lendemayn dez toutz almez, de les quelx novelx viſcountz iſſint eſlieux & appointez diverſez de eux ount refuſez, & diverſez de ceux nount mye ewez lour patentz, ne preignez lour ſerement, jeſques long temps apres le fine del dit Michell terme: pur quoy pluſours liegez & ſubgietz du Roy ſount graundement endamages & delaiez de lour proceſſez & preceptz, qe ſerrount retournablez en lez courtz du Roy as les jours del retourne deinz meſme le terme apres le vje. jour de Novembr', ſcilicet as les jours del retourne appellez Craſtino Martini, Octabis Martini, & Quindena Martini, pur cauſe qe les veelez viſcountz noſent ne voillent prendre ſur eux de retourner aſcune briefe ou precept apres lan qe ſon patent port date, pur paour del peyne en le avauntdit eſtatuit conteignuz, a graund perde, ſibien a Roy de ceo qe luy accreſceroit per reaſon de lez ditz proceſſez, come a ſon liege poeple per delaiez qils ount per ycell: ſy eſt il ordeignez per lauctorite du dit parlement, qe ſi aſcune viſcount daſcun countee execute ou retourne aſcune briefe precept ou warant en aſcuns des courtz du Roy deinz le dit terme appellez Michell terme, apres le vje. jour de Novembr' & devaunt aſcune briefe de diſcharge deliverer a luy de ſa occupation de viſcount, ne ſoit endamage per force du dit eſtatuit, ne del peyne avauntdit ſoit charge; tout ſoit il, qe celluy ad occupie loffice de viſcount per lan, quaunt pur aſcuns de les ditz jours de retourne appellez Craſtino Martini, Octabis Martini, ou Quindena Martini.

after the feaſt-day of All-ſouls, *of which new ſheriffs, ſo choſen and appointed, divers of them have refuſed, and divers of them have not had their patents, nor taken their oath, until long time after the end of the ſaid* Michaelmas *term, by reaſon whereof divers of the King's liege people and ſubjects be greatly indamaged and delayed of their ſuits, proceſſes, and precepts, which ſhould be returnable in the King's courts at the days of the return within the ſame term, after the ſixth day of* November, *that is to ſay, at the days of return called* Craſtino Martini, Octabis Martini, *and* Quindena Martini, *becauſe that the old ſheriffs durſt not, nor would not take upon them to return any writ or precept after the year that his patent did bear date, for fear of the penalty contained in the aforeſaid ſtatute, to the great loſs, as well to the King of that which ſhould grow to him by reaſon of the ſaid proceſs, as to his liege people, by delays which they thereby ſuſtain.* (5) It is ordained by authority of the foreſaid parliament, That if any ſheriff of any county do execute, or return any writ, precept, or warrant in any of the ſaid courts of the King, within the ſaid term called *Michaelmas* term, after the ſixth day of *November*, and before any writ of diſcharge delivered to him of his occupying of ſheriffwick, he ſhall not be damnified by force of the ſaid ſtatute, nor charged of the penalty aforeſaid, although that he hath occupied the office of ſheriff after any of the ſaid days of return called *Craſtino Martini*, *Octabis Martini*, or *Quindena Martini*.

A ſheriff being not diſcharged, may occupy his office during Michaelmas term, notwithſtanding the ſtatute of 23 H. 6. c. 8. Dyer, 355. 17 Ed. 4. c. 6.

CAP. II.

Four bowſtaves ſhall be brought into this realm for every tun of merchandiſe.

Four bowſtaves ſhall be brought into this realm for every tun of merchandiſe.

ITEM, *becauſe that our ſovereign lord the King, by a petition delivered to him in the ſaid parliament, by the commons of the ſame, hath perceived, That great ſcarcity of bowſtaves is now in this realm, and the bowſtaves that be in the realm be ſold at an exceſſive price, whereby the exerciſe of archery is greatly diſcontinued, and almoſt loſt*; (2) our ſaid lord the King conſidering the premiſſes, by the advice, aſſent, and authority aforeſaid, hath ordained and eſtabliſhed, That every merchant ſtranger, and every, or any of their factors, attornies, or ſervants, which at any time after the feaſt of St. *Michael* the archangel next coming, ſhall bring, ſend, or convey into this land any merchandiſe in carrack, galley or ſhip, of the city or country of *Venice*, or of other city, town, or country, from whence any ſuch bowſtaves have been before this time brought, ſent, or conveyed into this land, at every time of their bringing, ſending, or conveying of any ſuch merchandiſes into this realm, ſhall bring, ſend, or convey into this realm, with the ſaid merchandiſes, in the ſame carrack, galley, or ſhip, wherein any ſuch merchandiſes ſhall be hereafter brought, ſent, or conveyed, for every tun weight of ſuch merchandiſes which hereafter ſhall be contained in every carrack, galley, or ſhip, four bowſtaves, (3) upon pain of forfeiture to the King for every default of bringing of every ſuch bowſtaff vi.s. viii.d. (4) and alſo the ſaid bowſtaves ſo brought,

ITEM pur ceo qe noſtre ſeignur le Roy, per un petition a luy baille en le dit parlement per les communes dicelle, ad entendue, qe graunde efcarcite de boweſtaves or eſt en ceſt ſon roialme, et ceux boweſtaves, qe ſount en meſme le roialme, ſount venduz a trop exceſſive price, perount le fete darcherie eſt graundement diſcontinuez, & biens pres perduz; meſme noſtre ſeignur le Roy, lez premiſſez conſiderant, del advys aſſent & auctorite ſuiſditz, ad ordeigne eſtablie & enacte, qe cheſcune marchaunt eſtraunger, & cheſcune ou aſcun del lour faitours actours ou ſervauntz, qi al aſcun temps apres la feſte de Seint Michell larcaungell proſchein veignaunt ameſnerount envoierount ou convoierount en ceſte terre aſcune merchaundiſe en carrike galoie ou nief de la citee ou pays de Venice, ou del aſcune autre citee ville ou pays de quele aſcuns tielx boweſtaves devaunt ceſt temps ount eſte ameſnez envoiez ou convoiez en ceſt terre, a cheſcune temps de lour ameſnaunce envoiance ou convoiance dez tielx merchaundiſez en ceſt roialme ameſnent envoient ou convoient en meſme le roialme oveſqe lez ditz marchaundiſes, en meſme le carrik galee ou nief en quele aſcuns tielx marchaundiſes ſerrount ameſnez envoiez ou convoiez en apres, pur cheſcune pois de toneaue dautiel marchaundiſe, qe en apres ſerra conteignuz en cheſcune carrick galoie ou nief, quatre boweſtaves,

ſtaves, ſur payne de forfaiture au Roy pur deffaute dameſnance decheſcune autiel boweſtave vj.s. viii.d. et auxi les ditz boweſtaves enſi ameſners envoiers ou convoiers per lez ditz marchauntz lour faitours attourners ou ſervauntz en ceſt roialme ſoient ſerchez & ſerveiez per les mairs viſcountz baillifs ou chief governours dautielx citees ou villes deinz ceſt dit roialme, per la ou en aſcune tiel carrike galee ou nief aviendra en apres, de fair ſon port ſalu. Et les ditz mairs viſcountz baillifs ou chief governours daſſigner deux hommes, expertez de ſercher les ditz ſtaves, & lez ditz deux hommes deſtre jurres per lez ditz mairs viſcountz baillifs ou chief governours, a lentent qe ils ferrount ſigner veraiement & indifferentment les ditz ſtaves nient eſteantz bons ne ſufficeantz, en tiel manere come en temps paſſe autielx ſtaves ſoleint eſtre ſignez, al entent qe tout liege poeple de noſtre dit ſeignur le Roy puiſſent aver coniſaunce diceux ſaunz fraude.

brought, ſent, or conveyed by the ſaid merchants, their factors, attornies, or ſervants into this realm, ſhall be ſearched and ſurveyed by the mayor, ſheriffs, bailiffs, or chief governors of ſuch cities or towns within this realm, where any ſuch carrack, galley, or ſhip ſhall hereafter come to ſafe port; (5) and the ſaid mayors, ſheriffs, bailiffs, or chief governors ſhall aſſign two men moſt expert, to ſearch the ſaid ſtaves, and the ſaid two men to be ſworn by the ſaid mayor, ſheriffs, bailiffs, or chief governors, that they ſhall truly and indifferently mark the ſtaves that be not good and ſufficient, according to the manner as ſuch ſtaves in times paſt were wont to be marked, to the intent that all the King's liege people may have knowledge of them without fraud.

Bowſtaves brought into this realm ſhall be ſurveyed, ſearched, and marked.

13 El. c. 14.

CAP. III.

An act for the ſubſidies.

ITEM, whereas in the parliament holden in the third year of the reign of our ſaid ſovereign lord the King, the commons of the ſame realm of *England* granted to him for the defence of the ſame realm, and eſpecially for the ſafeguard and cuſtody of the ſea, a ſubſidy, called tunnage, to perceive and receive in manner and form following, that is to ſay three ſhillings of every tun of wine coming into this realm: and of every tun of ſweet wine coming into this realm of *England* by any merchant alien, as well by the merchants of *Hanſe* and *Almain*, as of any other merchant ſtranger three ſhillings over and above the ſaid three ſhillings before granted, to have and perceive the ſaid ſubſidy yearly from the feaſt of *March* in the year of our lord God M, CCCC, LXIV. for term of his natural life. And moreover the ſaid commons, by the aſſent aforeſaid granted to the King for the ſafeguard and keeping of the ſea, another ſubſidy called poundage, that is to ſay, of all manner merchandiſes of every merchant denizen and alien, as well of merchants of *Hanſe* and *Almain*, as of any other merchant alien, carried out of this ſaid realm,

Ex edit Raſt. the ſaid act of parliament of the grant of the ſubſidy in the third year of King Edward the Fourth, was never yet put in any book.

realm, or brought into the ſame by way of merchandiſe, of the value of every xx.s. xij.d. except tin, whereof the merchant ſtrangers ſhall pay for ſubſidy of the value of every xx.s. ijs. And the merchants denizens xij.d. And all manner merchandiſes of every merchant denizen to be valued according as they did coſt at the firſt buying by their oaths, or oaths of their ſervants buyers of the ſaid merchandiſes in their abſence, or by their letters, which the ſame merchants have of ſuch buying of their factors, and in none other manner. All manner woolen cloths, made and wrought within this realm of *England* by any merchant denizen, not being an alien born, to be carried out of the ſame realm within the time of this grant: all manner wools woolfels and leather going out of the ſame: and all and every manner of corn flour: and all manner of freſh fiſh beſt ale and wine coming into this realm: and all manner victual going out of this realm for the victualing of the town of *Calais*, and the marches of the ſame under the King's obeiſance, out of this grant always excepted: to have and perceive yearly the ſaid ſubſidy of poundage from the ſaid firſt day of *March* during his natural life, as in the grant thereof made more largely is contained: the King perceiving the great diſceipt done to him, in withdrawing and concealing of the ſaid duties: and amongſt other things many and divers merchants ſtrangers and denizens do uſe to bring into this realm cloth of gold, cloth of ſilver, bawdkin, velvet, damaſk, ſatin, ſarcenet, tartaron, chamlets, and other cloths of ſilk and gold, and of ſilk being of great value by way of merchandiſes from the parts beyond the ſea: and by ſubtil and fraudulent means convey the ſame merchandiſes to the land, not paying the very cuſtoms and ſubſidies thereof due after the form of the ſaid act, nor the ſame merchants ſtrangers do not employ the value of their ſaid merchandiſes upon the commodities of this realm, to the great damage of the King and of this his realm: and although the ſaid ſubſidy was granted to him eſpecially for the keeping of the ſea: yet by reaſon of the ſaid diſceipts withdrawing and concealing of the ſaid duties from the King, which ſhould and ought to come of the aforeſaid ſubſidy, the profit thereof coming to the King is ſo diminiſhed and impaired that it attaineth not, nor hereafter is like to attain to any like ſum, as it hath done in times paſt, nor ſufficeth not, nor in time to come is like to ſuffice and ſuſtain the King's neceſſary and requiſite charges for the keeping of the ſea, for the ſurety of the King and of this realm, and for the ſure paſſage of merchandiſes into this realm and out of this realm, unleſs that a convenient and ſure remedy be provided to expel and remove the ſaid deceits. Therefore our ſovereign lord the King, by the aſſent of the ſaid lords ſpiritual and temporal, and the ſaid commons in this parliament aſſembled, and by authority of the ſame, hath ordained eſtabliſhed and enacted, that from the feaſt of the nativity of Saint *John Baptiſt* next coming, no merchant denizen or ſtranger ſhall ſet or ſuffer any cloth of gold, of ſilver, bawdkin, velvet, damaſk, ſatin, tartaron,

Subſidy.

ron, or chamlet, nor none other cloth of ſilk, nor any corſe of ſilk and of gold, nor of ſilk of the making of any of the parts beyond the ſea to ſell, before that the collectors of the ſubſidy of tonage and poundage and the comptroller of the ſame in the port where ſuch merchandiſe is ſet upon land, hath ſurveyed and meaſured the ſame. And hath ſealed every piece thereof in the one end thereof, with the ſeal or mark eſpecially to be ordained for the ſame, whereof the ſame collectors have the one part: and the comptroller have the other part ſeverally in their cuſtody. And if any ſuch cloth of gold, of ſilver, bawdkin, velvet, damaſk, ſatin, ſarcenet, tartaron, chamlet, and cloth of ſilk and of gold, be any time hereafter ſet to ſale not ſealed, nor having ſuch ſeal thereupon: that then he which ſetteth ſuch merchandiſe to ſale, ſhall forfeit the ſame merchandiſe or the value thereof, whereof two parts ſhall be to the King, and the third part to the finder. Alſo it is ordained by the ſame authority, That the collectors of the ſame ſubſidy and the ſaid comptroiler, ſhall at all times requiſite, be ready to ſeal ſuch merchandiſe: and to ſeal the ſame at all times when they be required without delay, or taking any thing for the ſame in any wiſe, upon pain of forfeiture to the owner thereof twenty ſhillings for every of the ſaid collectors and comptrollers at any time that they refuſe to ſeal ſuch merchandiſe after ſuch requeſt made, or take any thing for the ſealing of any ſuch merchandiſe. Alſo it is ordained by the authority aforeſaid, That all manner of ſuch cloths of gold, of ſilver, bawdkin, velvet, damaſk, ſatin, ſarcenet, tartaron, chamlet, and every other cloth of ſilk, corſe of gold and ſilk now being within this realm, and after the feaſt of Saint *Michael* the archangel next coming, offered to ſell, ſhall be ſealed with the ſaid ſeals before the ſaid feaſt, upon the pain before ſpecified. Alſo whereas it is expreſſed in the ſaid grant of the ſaid ſubſidy, that if any concealment be found in the merchants in the payment of the ſaid duties, That they for ſuch concealment ſhall pay only double ſubſidy without other pain or forfeiture therein, as in the ſame act is more fully contained. The King conſidering that notwithſtanding the ſame ordinance, merchants do not regard to defraud him of his duty of the ſaid ſubſidy, in as much as they do nothing forfeit in that behalf, but only pay the double ſubſidy, by the advice aſſent and authority aforeſaid hath ordained and eſtabliſhed, That the ſame ſtatute in this behalf be void, and of no ſtrength. And if any merchandiſes, which be to be brought to the parts beyond the ſea, or to be carried out of this realm, whereof any ſubſidy is or ſhall be due or pertaining to the King, be hereafter ſhiped to be carried beyond the ſea, the collectors of the ſaid ſubſidy not paid, or without agreement with the collectors of the ſaid ſubſidy for the ſame, That then the ſaid merchandiſes or the value thereof, ſhall be forfeit to the King. Alſo whereas divers merchants ſtrangers and other oftentimes in the city of *London*, and in other places have packed divers woolen cloths, ſome in grain, ſome ungrained, and other cloths not grained, and the ſame

Tonage.

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ſo packed cauſe to be carried by land from *London* and other places to other ports, as to *Sandwich*, *Southampton* and other ports, whereas the cuſtomers for the time being without due packing or ſight of ſuch cloths, upon the information of the merchants, do cuſtom ſuch cloths, as for coarſe cloths, whereby the King is greatly deceived of his duties thereof, as well in the fineſs of ſuch cloths, as in the not knowing of the number of the cloths ſo packed. Therefore the King by the advice and aſſent aforeſaid, and by the ſame authority doth ordain eſtabliſh and enact, That in every port within this realm of *England*, wherein any woolen cloths ſhall be packed after the firſt day of *May* next coming, in the preſence of the collectors of the aforeſaid cuſtoms and ſubſidies, of the ſame port for the time being, That all ſuch cuſtoms and ſubſidies, due and pertaining to the King for the ſaid cloths, ſhall be paid and contented to the ſame collectors, where the ſaid cloths be ſo packed, or elſe ſufficient ſurety ſhall be thereof to them found, before that the ſame cloths be carried from the ſaid port to any other port or place, upon pain of forfeiture of all the ſame cloths, or the value thereof, to be had of the owner of the ſame. And if any woolen cloths to be carried over the ſea, be packed in any other manner, or under any other form, That then the collectors of the port where they be ſo packed or brought to be packed, ſhall ſeiſe and there unpack all the ſaid packs and fardels, and ſurvey all the cloths therein, ſo that our ſovereign lord the King may be truly anſwered of his duty in this behalf, without any fraud or deceit. And if any cuſtomer or comptroller of any port or place be negligent or ſlack in unpacking of the ſaid cloths, or ſurveying of them in the form aforeſaid, That then and as often every ſuch cuſtomer and comptroller for every ſuch default ſhall forfeit to our ſovereign lord the King twenty ſhillings for every ſuch cloth. Moreover it is ordained by the advice and aſſent aforeſaid, That every of the ſaid collectors receiving any cuſtom or ſubſidy for any of the ſaid cloths or ſurety for the ſame, ſhall be thereof charged and chargeable to our ſovereign lord the King upon his or their accompt. And that the ſame collector or collectors ſhall from time to time make a cocket or cockets of all ſuch cloths, directed to the collectors of the port where the ſame cloths ſhall be ſhiped, witneſſing their number, and that he or they have received the cuſtoms and ſubſidies of the ſame cloths, or ſurety for the ſame. By which cocket or cockets the ſaid collectors or the receivers of them, ſhall be thereof diſcharged againſt our ſovereign lord the King, and all other of all the ſame cuſtoms and ſubſidies. Provided always, That this act or ordinance be not prejudicial nor in any wiſe hurtful to any perſon or perſons in or for any letters-patents made by the King our ſovereign lord of any grant, of licence to ſhip and carry out of this realm of *England* any woolen cloths or other merchandiſes ſpecified in any of the ſaid letters-patents, to retain the cuſtoms and ſubſidies in their own hands, or in the hands of any of them. And that the ſame letters-patents be to the ſame perſon or perſons and every

11 H. 7. c. 6.
4 H. 8. c. 6.
6 H. 8. c. 14.

every of them good and effectual after the tenor of the ſame letters-patents and every of them, this act or ordinance notwithſtanding, by whatſoever name or names any of the ſaid perſon or perſons be named or called in any of the ſaid letters-patents.

CAP. IV.

For liveries to be given by the prince.

Edward prince of Wales may give his honourable livery and ſign, and retain, notwithſtanding any former ſtatute, &c.

ITEM, our ſaid ſovereign lord the King conſidering, that princes the firſt begotten ſons to Kings of *England*, have been at their liberties to give their livery and ſigns at their pleaſure, and that divers ſtatutes againſt givers and takers of liveries and ſigns, as well in the time of his noble reign, as in the time of his progenitors and predeceſſors have been made: and that by force of any of the ſaid ſtatutes his dear beloved firſt begotten ſon *Edward* prince of *Wales*, duke of *Cornwall*, and earl of *Cheſter*, is as well as any other perſon reſtrained of giving ſuch liveries and ſigns: our ſovereign lord the King, willing that his ſaid firſt begotten ſon the prince be at his liberty, in receiving any perſon and giving his ſigns and liveries, in as large form as any prince firſt begotten ſon of any of his noble progenitors or predeceſſors in times paſt hath been, hath ordained and eſtabliſhed, by authority of the ſaid parliament, That the ſaid prince ſhall be at his liberty, to retain and give his honourable livery and ſign at his pleaſure. And that the perſons ſo retained, or to whom ſuch liveries or ſigns be or ſhall be given, may be retained and receive and wear the ſame livery and ſign, without trouble, impediment or impeachment, pain, contempt or forfeiture of any penalty contained in any of the ſaid ſtatutes: the ſaid ſtatutes or any thing in them compriſed notwithſtanding. Nor that the ſaid ſtatutes in any manner ſhall extend to any retaining to be made by the ſaid prince in giving taking or retaining of any livery or ſign of the ſame prince.

CAP. V.

For ſhipping of wools.

During five years the wools, &c. of certain counties only ſhall be carried to Newcaſtle, and all other to Calais, upon pain of felony. 3 Ed. 4. c. 1. 4 Ed. 4. c. 3. 14 Ed. 4. c. 3.

ITEM, our ſaid ſovereign lord the King remembering that where before this time in divers ſtatutes amongſt other things it is ordained and enacted, That all manner wools and woolfels, and fels called morling and ſhorling, growing within any part of this realm and *Wales*, wools and woolfels morling and ſhorling growing in any part within the counties of *Weſtmoreland*, *Cumberland*, *Northumberland*, in the biſhoprick of *Durham*, betwixt the waters of *Tine* and *Tees*: and of the counties of *Richmondſhire* and *Northaldertonſhire* except wools to be ſhipped towards the Weſt in gallies and carracks, to be ſhiped and carried out of the realm, ſhall be conveyed to the ſtaple of *Calais*, and to none other place upon pain of forfeiture of the ſaid wools woolfels and fels called ſhorling and morling, as in the ſame ſtatutes doth more fully appear. Nevertheleſs, the ſaid ordinances and ſtatutes notwithſtanding a great multitude of wools

and

and woolfels called morling and ſhorling, growing in *Yorkſwold*, in the counties of *Lincoln Nottingham* and *Derby*, and other counties of this realm of *England*, under the colour of the exception before recited, in the ſame *North* parts be carried out of the realm into *Flanders*, *Holland Zealand*, *Brabant*, and other parts beyond the ſea, whereby enſueth not only great decay of the cuſtoms and ſubſidies of our ſovereign lord the King, but alſo the deſtruction of the price of wools woolfels and fels called morling and ſhorling, growing within this realm, to the univerſal damage and impoveriſhing of the ſame: whereupon by the advice aſſent and authority aforeſaid, it is enacted ordained and ſtabliſhed, That all the wools woolfels and fels called morling and ſhorling, growing within this realm, other than before excepted, to be ſhipped and conveyed out of this realm, ſhall be conveyed to the ſtaple of *Calais* and to none other place. And that all other wools woolfels and fels called morling and ſhorling, growing and being within the ſaid counties of *Weſtmoreland*, *Cumberland*, *Northumberland*, the biſhoprick, *Richmond* and *Alderton*, to be carried out of this realm of *England*, ſhall be ſhipped at *Newcaſtle* upon *Tine* only: and from thence to be conveyed to *Calais*, or to new *Middleborough* in *Flanders*, there to be ſtapled and uttered, and at none other place. And if any man attempt and do the contrary, and thereupon be duly convict, That then he ſhall ſtand and be of like condition as a man attainted of felony, after the courſe of the common law, and ſhall incur like pain and forfeiture as he ſo attainted for the ſame ſhould do. Alſo it is ordained by the ſame aſſent and authority, That all wools and woolfels, and fels called morling and ſhorling, growing or being in any country of this realm or *Wales*, or in the marches of the ſame, other than before excepted, to be carried out of this realm, ſhall be conveyed to the ſaid ſtaple of *Calais*, and to none other place, upon the ſame pain and forfeiture: The prerogative of our ſovereign lord the King to grant any licence to the contrary except: this act to begin and take effect at the feaſt of Saint *Michael*, which ſhall be in the year of our lord God M, CCCC, LXXIV. And to endure by the ſpace of five years only.

CAP. VI.

For ſewers.

The lord chancellor of England may for fifteen years next grant ſeveral commiſſions of ſewers where need requireth.
6 H. 6. c. 5.
8 H. 6. c. 3.
18 H. 6. c. 10.

ITEM, whereas in the parliament of *Henry* the Sixth, late in deed and not of right king of *England*, holden at *Weſtminſter* the ſixth year of his reign, the great damage and loſſes conſidered, which have chanced by the great riſing of waters in divers parts of this realm, and more greater damage had likely come, if remedy in this behalf had not been the more ſpeedily provided, it was ordained and enacted by authority of the ſame parliament, That for ten years then next following ſeveral commiſſions of ſewers ſhould be made to divers perſons by the chancellor of *England* for the time being, to be named in all parts of the ſame realm, where need ſhould be after the form and tenor

nor of a commiſſion eſpecified in the ſame act. And after in the parliament of the ſame *Henry* late King holden at *Weſtminſter* in the eighth year of his reign, becauſe that the commiſſioners named in the ſaid commiſſions, had not full power nor authority to do, perform and execute things compriſed in the ſaid commiſſions, it was ordained, enacted and eſtabliſhed by authority of the ſame parliament, That all ſuch commiſſioners ſhould have full power to make, ordain and execute ſtatutes and ordinances and other things to be done after the effect and purport of the ſaid commiſſions. And after the ſaid x. years paſſed, in the parliament of the ſaid late king *Henry*, holden at *Weſtminſter* in the xviij. year of his reign, it was ordained enacted and eſtabliſhed, by authority of the ſame parliament, That for x. years then next following ſeveral commiſſioners of ſewers ſhould be made to divers perſons by the chancellor of *England* for the time being, to be named in all parts of the ſaid realm of *England*, where need ſhould be, after the form and effect of the ſaid commiſſion, contained in the ſaid act made the ſaid vj. year. And that ſuch commiſſioners ſhould have power to make, ordain and execute ſtatutes and ordinances, and other things to be done after the effect and purport of the ſaid commiſſions. And after the ſaid x. years paſt in the parliament of the ſaid late king, as afore is ſaid, holden at *Weſtminſter* the xxiij. year of his reign, it was ordained, enacted and ſtabliſhed by authority of the ſame parliament, That for xv. years then next following the chancellor of *England* for the time being, ſhould have power to make out of the chancery commiſſions of ſewers under the great ſeal, in ſuch form as was granted to be made by the ſaid act made in the ſaid ſixth year as in the ſaid acts more fully is contained, by which commiſſions in the form aforeſaid, many great miſchiefs done and had in divers parts of the ſaid realm of *England* by riſing of the ſaid waters were neceſſarily redreſſed, reformed and amended. Now ſo it is, that now of late in divers parts of this realm of *England*, as well in the counties of *Kent* and *Suſſex*, as in other places within the ſame realm of *England*, and alſo within the bounds of the marches of *Calais Guynes* and *Hammes*, by riſing of water, divers lands and tenements in great quantity be drowned and deſtroyed. And many great miſchiefs be very likely within ſhort time to fall, as well in the decreaſe of the ſuſtenance and livelyhood of holy church, as of other the King's liege people of his ſaid realm of *England*, and of the ſaid marches, and utter undoing of them, if remedy in this behalf be not the more ſpeedily provided. Our ſaid ſovereign lord the King, conſidering the premiſſes, by the advice and aſſent of the ſaid lords ſpiritual and temporal, and at the requeſt of the ſaid commons, and by authority of the ſaid parliament, hath ordained enacted and eſtabliſhed, That for xv. years next enſuing ſeveral commiſſions of ſewers ſhall be made to divers perſons by the chancellor of *England* for the time being, to be named in all parts of this realm of *England* and of the aforeſaid marches, where need is or ſhall be, after the form and effect of the ſaid commiſſion

23 H. 6. c. 9.
4 H. 7. c. 1.

ſion contained in the ſaid act made the ſaid ſixth year. And moreover he hath ordained and ſtabliſhed by the ſame authority, That all ſuch commiſſioners have full power to make, ordain and execute ſtatutes and ordinances and other things to be done after the effect and purport of the ſame commiſſions.

Rolle. Clyſte 3 LRQB. 286.

CAP. VII.

An act for the taking away of wears and fiſhgarthes.

Statutes that have been made for the pulling down or reforming of wears and of the commiſſioners authority.

9 H. 3. ſtat. 1. c. 23.

ITEM, *Whereas by the laudable ſtatute of* Magna Charta, *amongſt other things it is contained, That all kedels by* Thamiſe *and* Medway, *and throughout the realm of* England, *ſhould be taken away, ſaving by the ſea-banks,* (2) *which ſtatute was made for the great wealth of all this land, in avoiding the ſtraitneſs of all rivers, ſo that ſhips and boats might have in them their large and free paſſage, and alſo in ſafeguard of all the fry of fiſh ſpawned within the ſame;* (3) *upon which* Magna Charta, *the great ſentence and apoſtolick curſe, by a great number of biſhops was pronounced againſt the breakers of the ſame, and the ſame ſentence is four times in the year openly declared, according to the law of the holy church;* (4) *and in affirmance of the ſaid ſtatute of the Great Charter, divers ſtatutes have been after made and ordained, amongſt which, in a parliament holden in the firſt year of the uſurped reign of king* HENRY *the Fourth, it was recited, That in the twenty fifth year of King* EDWARD *the Third, progenitor of our lord the King that now is, becauſe that the common paſſages of ſhips and boats in the great rivers of* England, *were oftentimes diſturbed by levying of wears, mills, millſtanks, ſtakes, and kedels, to the great damage of the people,* (5) *it was ordained and eſtabliſhed, That all ſuch wears, mills, millſtanks, ſtakes, and kedels, which were levied and ſet up*

1 H. 4. c. 12.
25 Ed. 3. ſtat. 4. c. 4.

ITEM come per le laudable eſtatuit de Magna Carta entre autres choſes eſt ordeigne, qe toutz kidelx per Thameſe & Medewey & per tout le roialme Dengleterre ſerroient ouſtiez, ſinoun per les cooſtez del mear. Quele eſtatuit fuiſt fait pur graund bien de tout ceſt terre, en ouſtant lez ſtreitures dez toutz rivers, enſi qe lez niefs & bateulx avraient en yceux lour fraunk & large paſſage, & auxi en ſalvation de tout frye de peſſon procreez en lez meſmes. Sur quele Magna Carta graund ſentence & apoſtolike dexcommengement per graund noumbre dez eveſquez encountre lez fractours dicelle eſtoit pronuncie, & meſme la ſentence quatre foitz en lan appertement eſt declarez, a la ley ſeinte eſgliſe accordaunt. Et en affirmance du dit eſtatuit de Magna Carta diverſez eſtatuitz depuis ount eſte faitz & ordeignez, entre queux en un parlement tenuz lan primer del uſurpe reigne du Roy HENRI le iiij^te, eſtoit recite, qe en lan xxv^e. du Roy EDWARD le tierce, progenitour noſtre dit ſeignur le Roy qoreſt, pur ceo qe lez communes paſſagez dez niefs & bateux en lez graundes rivers Dengleterre furent ſi ſovent foitz diſtourbez, par lever dez gorcez molyns, eſtankes, eſtakes & kideux, en graunde damage du people; accordes fuit & eſtablies, qe toutz tielx gorces, molyns, eſtankes, eſtakes, & kideux, queux fuent

rent levez & miſez en temps le Roy E. fitz le Roy HENRY, & depuis, en tielx rivers, per queux lez niefs & bateux furent diſtourbez, qils ne puiſſent paſſer come ils ſoloient, ſerroient ouſtez & nettement abatuz ſaunz eſtre relevez; & qe briefs ſerroient ſur ceo maundez as viſcountz dez lieux, ou meſtier ſerroit, de ſurveier & enquerer, & de faire ent execution: et auxi qe juſtices ſerroient ſur ceo aſſignez, as toutz les foitz qil buſoigneroit: et apres ceo ſur grevous compleint dez graundez & dez communes fait en le parlement du dit Roy E. le tierce, lan de ſon reigne xlve. compleignauntz per lour petition, qe le dit eſtatuit neſtoit pas duement executez, ne gardes, ſolonqe leffect dicelle, accordez fuiſt & eſtabliez, qe le dit eſtatuit en cell point ſerroit tenuz & gardez, ſolonque leffect dicelle; ajouſtant a ycelle, qe ſi aſcun tiel anuſaunce fuiſſet fait, ſerroit abatuz per due proceſſe conteignuz en le dit eſtatuit; & celluy qe ferroit relever le dit anuſaunce, & de ceo ſoit duement atteint, encourgeroit la peyne de C. marcs, devers noſtre ſeignur le Roy, a levers per les eſtreites del eſchequer; et que meſme la ley ſerroit tenuz danuſaunce fait per le enhauncer de lez ditz gorces, molyns, eſtankes, eſtakez, & kideux, come per novel leve; come en lez ditz eſtatuitz pluis pleinement appiert. Et lors a la requeſte des ditz communes, monſtrantz per lour petition, qe les communes paſſages dez niefs & bateux en les graundez rivers Dengleterre, & auxint prees & paſtures & terres ſemez adjoignauntz as ditz rivers, furent graundement diſtourbez,

up in the time of King Edward, *ſon of King* Henry, *and after, in ſuch rivers (whereby the ſhips and boats were diſturbed that they could not paſs as they were wont) ſhould be taken away, and broken down, never to be ſet up again; (6) and that writs ſhould be thereupon ſent to the ſheriff of ſuch places where need ſhould be, to ſurvey and enquire, and the ſame to execute; (7) and that juſtices ſhould be thereto aſſigned at all times when need requireth. (8)* 45 Ed. 3. c. 2. *And after grievous complaint, both of great men, and of the commons thereupon made in the parliament of the ſaid King* Edward *the Third, in the five and fortieth year of his reign, ſhewing by their petition, that the ſaid ſtatute was not duly executed nor obſerved according to the form and effect thereof; it was accorded and eſtabliſhed, That the ſame ſtatute in that point ſhould be holden and kept according to the tenor of the ſame; (9) adjoined thereto, that if any ſuch annoyance be done, that the ſame be broken down by due proceſs contained in the ſaid ſtatute, (10) and that he which again doth levy ſuch annoyances, and be thereof duly attainted, ſhall run in the pain of an* C. *marks to our lord the King, to be levied by the eſtreats of the exchequer: (11) the ſame law ſhall be holden of annoyance made by the enhanſing of the ſaid wears, mills, millſtanks, ſtakes, and kedels, as by new levying, as in the ſaid ſtatutes more plainly appeareth. (12) And then at the requeſt of the ſaid commons, ſhewing by their petition, that the common paſſages of ſhips and boats in the great rivers of* England, *and alſo meadows and paſtures, and arable lands adjoining to the ſaid rivers, were greatly diſturbed, drowned, waſted, and deſtroyed*

ſur- by

by the outragious enhanſing and ſtraiting of wears, mills, millſtanks, ſtakes, and kedels, made in old time, and levied before the time of the ſaid King Edward, *ſon to the ſaid King* Henry, *whereby great loſs and damage often enſued to the people of the realm, and daily would enſue, if remedy were not provided.*

II. *Wherefore it was ordained and enacted by the aſſent of the ſaid parliament, holden the firſt year of the ſaid pretenſed king* Henry *the Fourth, That the ſaid ſtatutes in all their articles ſhould be obſerved, firmly kept, and duly executed; (2) adjoining thereto, that commiſſions ſhould be made in due form to ſufficient perſons to be juſtices in every county of* England, *where need ſhould be, to ſurvey and keep the waters and great rivers there, and to correct and amend the faults, and to make due execution by the ſaid ſtatutes, according to the effect of the ſame, (3) as well by their ſurvey, advice, and diſcretion, as by inqueſts to be taken thereof within franchiſe and without when need ſhall be, and to hear and determine all thoſe things aforeſaid; (4) and moreover to ſurvey the wears, mills, millſtanks, ſtakes, and kedels made in old time, and levied before the ſaid time of King* Edward, *ſon to King* Henry; *and ſuch as they find too much enhanſed or ſtraited, to correct, break down, and amend in the manner and form aforeſaid.*

III. *Saving always a reaſonable ſubſtance of the ſame wears, mills, millſtanks, ſtakes, and kedels ſo made in old time and levied. (2) And if any ſuch annoyances of wears, mills, millſtanks, ſtakes, and kedels, in letting of the paſſages and ſtraiting, made in old time and levied, be judged or conſidered by the ſaid juſtices*

ſurroundez, gaſtez, & deſtruitz per les outrageous enhaunſer & eſtraiture dez gorcez, molyns, eſtankes, eſtakez, & kideux, auncienement faitz & levez devaunt le temps du dit Roy E. fitz au Roy HENRY, dount graundes damages & perdez ſovent foitz euſſent aveignuz au poeple du roialme & aviendrent de jour en autre, ſi remedie ne feuiſet ent miſe.

Accordez eſt & eſtablie, del aſſent du dit parlement tenuz lan primer du dit pretenſe Roy HENRY iiijte. qe lez ditz eſtatuitz ſoient en toutz lour articlez tenuz & fermement gardez, & duement executz; adjouſtant a ycelle, qe commiſſions ſoient faitz en due fourme as ſufficeantz perſonez, deſtre juſticez en cheſcune countee Dengleterre ou buſoigne ſerra, de ſurveier & garder lez eawez & graundez ryvers illeoſquez, & lez defautez corriger & amender, & ent due execution faire, per les ditz eſtatuitz ſolonqe leffect dicelles; ſibien per lour ſurveu, advys, & diſcretion, come per les enqueſtez ent apprendrez, deins fraunchiſe & dehors, cy & quant buſoigne ſerra, & doier & terminer les choſes ſuiſditz; & ouſtre ceo, de ſurveier les gorces, molyns, eſtankes, eſtakes & kideux, auncienment faitz & levez devaunt le dit temps du Roy E. fitz au Roy HENRY, & ceux qils trovent trop enhauncez, ou eſtraitez, de les corriger, abater, & amender, en les maner & fourme deſuiſditz.

Sauvant toutz foitz reſonable ſubſtaunce de les gortz, molyns, eſtankez, eſtakez, & kideux ſuiſditz, iſſint auncienment faitz & levez; & ſi aſcune tiel anuſaunce des gortz, molyns

molyns, eſtankez, eſtakez, & kideux, en deſtourbaunce de les paſſagez, & eſtraiturez auncienment faitz & levez, ſoient ajuggez ou conſiderez per les ditz juſtices deſtre abatuz ou amendez, ceſtuy qi ad frank tenement dicelles ferra ent execution de ſes coſtagez deins un demy an apres notification a luy ent affaire, ſur peyne de forfaiture de C. marcs, a paiers a noſtre ſeignur le Roy per eſtretes en leſchequer: & celluy qi les face relever, enhauncer, ou eſtreiter, encountre le dit jugement, & de ceo duement convicte, encourge la peyne de C. marcs a paiers a noſtre ſeignur le Roy per eſtretes en leſchequer ſuiſdit; come en meſmes les eſtatuitz pluis pleynement appiert: encountre quele Magna Carta & toutz les eſtatuitz avauntditz, en diverſez partiez de ceſt roialme Dengleterre, en deſtruction de peſſon come avauntdit, & en deſtourbaunce de les paſſages de les niefs, bargez, bateux, & autres veſſeaulx diverſez & pluſours gortz, fiſhgarthez, molyns, milledammes, eſtankes de molyns, lokkes, hebbyngweres, eſtakes, kideux, hekkes, flodegatez, & diverſez autres diſtourbauncez, de jour en autre ſount faitz, levez, enhauncez, & enlargez, a graund damage noſtre ſeignur le Roy & de ſes foialx liegez: noſtre dit ſeignur le Roy, les premiſſez graciouſment conſideraunt, del advys & aſſent des ditz ſeignurs eſpirituelx & temporelx & a la requeſte des ditz communes en ceſt parlement aſſemblez, & per auctorite ſuiſdit, ad ordeigne & eſtablie, qe le dit eſtatuit de Magna Carta & toutz autres eſtatuitz les premiſſes

juſtices to be broken down or amended, he that hath the freehold of the ſame ſhall do execution thereof at his own coſts, within half a year after knowledge given to him, upon pain of forfeiture of an hundred marks, to be paid to our lord the King by eſtreats in the exchequer; (3) and he that doth levy them again, enhanſe, or ſtrait them contrary to the ſaid judgment, and thereof be duly convict, ſhall run in pain of an hundred marks, to be paid to our lord the King by eſtreats in the exchequer aforeſaid, as in the ſame ſtatutes more fully appeareth. (4) Contrary to which Great Charter, and all the ſtatutes aforeſaid, in divers parts of this realm of England, *both in the deſtroying of the fiſh, as afore is ſaid, and in diſturbance of the paſſages of ſhips, barges, boats, and other veſſels, by divers and many people divers fiſhgarths, mills, milldams, millſtanks, locks, ebbing wears, ſtakes, kedels, hecks, or floodgates, and divers other diſturbances, be daily enhanſed, levied, and enlarged, to the great damage of our lord the King, and of his faithful lieges:* (5) our ſaid lord the King graciouſly conſidering the premiſſes, by the advice and aſſent of the lords ſpiritual and temporal, and at the requeſt of the ſaid commons, in this parliament aſſembled, and by authority of the ſame, hath ordained and eſtabliſhed, That the ſaid ſtatute of the Great Charter, and all other ſtatutes concerning the premiſſes, ſhall be duly obſerved and kept; (6) adjoining thereto, That if after the feaſt of St. *Michael*, which ſhall be in the year of our lord God 1475, by award, rule, or judgment of any of the ſaid commiſſioners aſſigned, according to the ſaid ſtatute made

A confirmation of all ſtatutes made for the pulling down of wears. 10 Co. 138.

in the ſaid firſt year of King *Henry* the Fourth, it be found that any ſuch wears, fiſhgarths, mills, milldams, millſtanks, locks, ebbing wears, ſtakes, kedels, hecks, or floodgates, be made, levied, enhanſed, ſtraited, or enlarged, againſt the ſame ſtatute, the offenders in this behalf contrary to the foreſaid award, rule, and judgment, being duly warned by the ſheriff or ſheriffs, by *Scire facias* directed to the ſheriff or ſheriffs, of ſuch county or counties where ſuch wears, fiſhgarths, mills, milldams, millſtanks, and other noyances, diſturbances or impediments be, and within three months next after the ſaid garniſhment made, they do not duly and wholly amend, break down, and avoid the ſaid making, levying, enhanſing, ſtraiting, or enlarging, being defective, as afore is ſaid in the ſaid ſtatute made in the ſaid firſt year, that then he or they, being defective in this behalf, ſhall forfeit to our lord the King an hundred marks, to be paid by eſtreats in the exchequer in manner and form as in the ſame ſtatute more fully is contained.

The penalty of an offender that doth not perform the award of commiſſioners authorized by the ſtatute of 1 H. 4. c. 12.

IV. Moreover, if the ſaid offender, or his heir or heirs, aſſignee or aſſignees, or any of them, do defer or continue the ſame default, contrary to the award, rule, or judgment of the commiſſioners aforeſaid, that he or they ſo doing, deferring, or continuing the ſaid default, ſhall forfeit for every month after the ſaid three months ended, that the ſame default ſhall remain, and be not corrected, amended, nor reformed, an C. marks, (2) the one half thereof to our lord the King, and the other half to any of his

The penalty of him which doth continue in his offence, or doth delay to reform it.

miſſes concernantz ſoient duement obſervez & gardez; adjouſtant a ycelle qe ſi apres la feſte de Seint Michell, qe ſerra en lan noſtre ſeignur Dieu M. CCCCIxxv. per agarde rule ou jugement daſcuns de les ditz commiſſioners, accordaunt al avauntdit eſtatuit le dit an primer du dit Roy HENRY le quart fait aſſignez, il ſoit trovee, qe aſcuns tielx gorces, fyſhgarthes, molyns, milledammes, eſtankes de molyns, lokkes, hebbyngweres, eſtakes, kydeux. hekkes, ou flodeyates, ſount faitz, levez, enhauncez, eſtreitz, ou enlarges, encountre meſme leſtatuit, les offendours en celle partie, contrarie a lavauntdit agarde rule & jugement, duement per Scire facias a le viſcount ou viſcountz dautiel countee ou countees, ou tielx gorces, fiſhgarthez, molyns, milledammez, & autres anuſaunces, ou empedimentz, ou deſtourbaunces avaunt reherſes, ſerrount trovez faitz, euez enhaunces, eſtreites, & enlarges, direct, ſoient duement garniſe per le dit viſcount ou ſouthviſcount, & dedeinz trois mois proſcheins apres le dit garniſement fait a ſes propres coſtages & charges duement & pleynement namendent pas, ou ouſtent, avoident, la dit faiſure, lever, enhaunſer, eſtraiture, ou enlargement, defectif come avaunt eſt dit en le dit eſtatuit en lan primer ſuiſdit eſpecifie; qe lors celluy ou ceux en celle partie defectif forface ou forfacent a noſtre ſeignur le Roy pur cheſcune default C. marcs, per tranſcript ent a deliverer en le dit eſchequer, en le maner & fourme come en meſme leſtatuit pluis pleynement eſt conteignuz.

Et ouſtier ſi le dit offendour, ou ſon heir ou heirs, aſſigne ou aſſignez, ou aſcun de eux, face ou facent, differrer ou continuer meſme le default, contrarie as les agardz rule & jugement des commiſſioners avaunt-ditz; qe celluy ou ceux enſi faiſant, differant, ou continuant, le dit default, forface ou forfacent, pur cheſcun mois apres les dites trois mois paſſes, qe meſme la defaute eſtoit et demure nient correcte ou nient amende ou nient refourme, C. marcs, lune moite ent a noſtre ſoveraigne ſeignur le Roy, & lautre moite ent a aſcune de ſes liegez, qi en celle partie purſuier voiet, per action de dette ent a conceiver per briefe original, ſaunz aſcune fine ent faire ou apprender, en la court de la chauncerie.

En quele action autiel proceſſe, rule, jugement, & execution ſoient allowes, ewez, & faitz, come en autres actions de dette purſuez a la commune ley per briefe eſt uſez; & qe aſcun defendaunt en aſcune tiel action ne ſoit admiſe de gager ou faire ſa ley. Ne qe aſcune protection ou eſſoin de ſervice noſtre ſoveraigne ſeignur le Roy pur aſcun tiel defendaunt ſoit en aſcune maner allowe.

Et en ouſtre ad ordeigne & eſtablie per meſme lauctorite, qe ſi aſcun perſon on perſonez, autre ou autres qe tiel ou tielx encountre quele ou quelx autiel agard rule ou jugement eſtoit faite & ewe, nient eſteant ou eſteantz heir ou aſſigne a ycell ou yceux, preſume ou preſument doccupier ou continuer aſcuns gorcez, fiſhgarthez, molyns, milledammes, eſtankes de molyns, lokkes, hebbyng-werez, eſtakes, kideux, hekkez, fiodeyates,

liege people which in this behalf will ſue for the ſame, (3) by action of debt to be conceived by original writ, without fine to be made or taken for the ſame in the chancery.

V. In which action, like proceſs, rule, judgment, and execution ſhall be allowed, had, and made, as is uſed in other actions of debt purſued at the common law by writ; (2) and that the defendant in any ſuch action be not admitted to do or wage his law, (3) nor that any protection, or eſſoin of the King's ſervice be allowed for the defendant in the ſame writ.

The penalty of the heir or aſſignee of the offender that continueth the ſame offence.

VI. Moreover, it is ordained and eſtabliſhed by the ſame authority, That if any perſon or perſons, other than ſuch againſt whom ſuch award, rule, or judgment were made and had, being heir or aſſignee to them, or any of them, do preſume to occupy or continue any ſuch wears, fiſhgarths, mills, milldams, millſtanks, locks, ebbing wears, ſtakes, kedels, hecks, floodgates, or other diſturbances, or impediments, as afore is ſaid, he or they ſo preſuming to occupy or continue, ſhall forfeit at every default, for every month, as is afore ſaid, an C. marks, (2) the one half to our lord the King, and the other half to him of the King's liege people that will in this behalf ſue, by action of debt thereupon to be conceived, without paying any fine for the ſame, as is afore ſaid; (3) in which action like proceſs, rule, judgment, and execution ſhall be uſed and made, as in all other actions of debt purſued at the common law by writ is uſed; (4) and that the defendant in any ſuch

action ſhall not be admitted, nor in any wiſe received to wage or do his law; (5) nor any manner protection or eſſoin of the King's ſervice be for ſuch defendant in any wiſe allowed.

flodeyates, ou autres diſturbauncez ou impedimentz come devaunt eſt dit; celluy ou ceux enſi preſumant ou preſumantz doccupier ou continuer forfait ou forfacent a cheſcun defaulte pur cheſcune mois come eſt dit devaunt C. marcs, le moite a noſtre ſeignur le Roy, & lautre moite a celluy de les lieges noſtre ſeignur le Roy qi en celle partie purſuer voet per action de dette ſur ceo deſtre conceu, ſaunz fyn pur ceo paiant come devaunt eſt dit; en quele action autiel proceſſe, rule, jugement, et execution ſoient uſez & faitz, come en toutz autres actions de dette purſuez a la commune ley per briefe eſt uſez: & qe aſcun defendaunt en tiel action ne ſoit reſceu ne admiſe en aſcun manere de gager ou faire ſa ley; ne qe aſcun autre manere portection ou eſſoin de noble ſervice de noſtre ſeignur le Roy pur aſcun tiel defendaunt ſoit aſcunement allowe.

CAP. VIII.

All mayors, bailiffs, &c. ſhall have the ſearching and ſurveying of victual; and letters patents made to ſearchers and ſurveyors of victual ſhall be void.

All mayors, bailiffs, &c. ſhall have the ſearching and ſurveying of victual.
4 Inſt. 262.

ITEM, *Whereas the governors, that is to ſay, mayors, bailiffs, and other like governors of every city, borough, and town of ſubſtance within this realm of* England, *for the moſt part have courts of leets, and views of frankpledge, holden yearly within the ſame cities, boroughs, and towns, and ſurveying of all victuallers there, and correction and puniſhment of the offenders and breakers of the aſſize of the ſame, to be preſented and amerced if any default be found in the ſaid courts, or by their ſurveying, which by reaſon ought not to be contraried, nor the victuallers there by the law ought to be ſurcharged or oppreſſed*; (2) *as now of late divers perſons daily intending their ſingular avail and profit to oppreſs the ſaid victuallers, and to enter and break the liberty of divers places in this realm having franchiſes, and ſurveying of all victuallers, and correction of the ſame, have purchaſed*

ITEM qe come lez governours ceſtaſſavoir mairs, baillifs, & autres governours ſemblablez, de cheſcune citee burgh & ville de ſubſtaunce deinz ceſt roialme dEngleterre, pur greindre partie ount courtz des letez & vieuz de frank plegge annuelment tenuz deinz meſmes les citees burghs & villes, & ſurveu des toutz vitaillers illeoſquez, & correction & punition de les enfractours & meffaiſours de laſſiſe des meſmes, a preſenters & amerciers, ſi aſcun default ſoit trovee en les courtz, ou per lour ſurveu; quele per reaſon ne doit eſtre contrariez, ne les vitaillers illeoſquez per la ley ne doient mye eſtre ſurcharges ou oppreſſes, come ore tarde journelment diverſes perſones entendantz pur lour ſinguler availle & profit doppreſſer les ditz vitaillers, denterrumper diverſes lieus deins ceſt roialme dEngleterre

leterre eiauntz fraunchiſes & ſurveu des toutz vitaillers & correction diceux, ount purchaces lettres patentz noſtre dit ſoveraigne ſeignur le Roy, deſtre ſurveiours & correctours dautielx vitaillers deinz diverſes citees burghs & autres lieux de ceſt roialme dEngleterre come de ſervoiſe, bere, vine, & dautielx autres vitailles, per quell pretenſe & deſloial office ils ſount pluſours & diverſes extortions & oppreſſions entre le liege poeple noſtre ſeignur le Roy, preignauntz de ceux diſloialment diverſes graundes fines & raunſons, a graund damage de meſme le poeple noſtre ſeignur le Roy, & auxi graund derogation de les libertees & fraunchiſes de les diverſes de les avauntditz citees burghs & villez: noſtre ſeignur le Roy, les premiſſez conſiderant, per ladvys et aſſent des ſeignurs eſpirituelx & temporelx & a la requeſte des communes en le dit parlement aſſemblez, & per auctorite de meſme le parlement, ad ordeigne & eſtablie, qe toutz les lettres patentz grauntez per luy a aſcune perſone ou perſonez daſcun office du ſerch-eaunce ou ſurveiance de vine, ſervoiſe, bere ou aſcun autre vitaille, ſoient toutouſtrement voidez & de null effect: Et qe null perſon, autre qe tielx governours avaunt reherſez, ou autres entitlez per point de chartre, a la feſte de Paſqe proſchein venaunt, per colour dautielx lettres patentz enſi purſuez, ou en apres a purſuers come devaunt eſt dit, uſe ou exerciſe aſcune tiel office ſur payne de forfaiture a cheſcune default xl. li. lune moite ent a noſtre ſeignur le Roy, al oeps de

chaſed letters patents of our ſovereign lord the King, to be ſurveyors and correctors of all ſuch victuallers within divers cities, boroughs, and other places of this realm of England, *as of ale, beer, wine, and other ſuch victuals, by which pretence and unlawful office they do commit divers and many extortions and oppreſſions amongſt the King's liege people, taking of them unlawfully divers great fines and ranſoms, to the great damage of the King's liege people, and alſo wrongful derogation of the liberties and franchiſes of divers of the ſaid cities, boroughs, and towns:*

(3) our ſaid lord the King (the premiſſes conſidering) by the advice and aſſent of the lords ſpiritual and temporal, and at the requeſt of the ſaid commons, in the ſaid parliament aſſembled, and by authority of the ſame parliament, hath ordained and eſtabliſhed, That all letters patents, granted by him to any perſon or perſons of any office of ſearching or ſurveying of wine, ale, beer, or any other victual, ſhall be utterly void and of none effect. (4) And that no perſon, other than ſuch governors before rehearſed, or other intitled by point of charter, from the feaſt of *Eaſter* next coming, by colour of ſuch letters patents ſo obtained, or after to be obtained, as before is ſaid, ſhall uſe or excerciſe any ſuch office, upon pain of forfeiture for every default xl. li. (5) the one half thereof to our lord the King, to be employed only to the uſe of his houſe, the other half to him that in this behalf will ſue for the ſame by action of debt, wherein like proceſs, rule, and proceeding ſhall be had, as is commonly uſed in

All letters patents granted to any perſons for ſearching or ſurveying of victuals, ſhall be void; and only the chief governors of cities, towns, &c. ſhall be appointed to ſearch and ſurvey the ſame.
23 Ed. 3. c. 6.
13 R. 2. ſtat. 1. c. 8.
25 H. 8. c. 2.

other actions of debt at the common law; (6) and that the defendant in any such action shall not be received nor admitted to his law; (7) nor that any protection or essoin of the King's service be to him in any wise allowed.

de son hostiell tantsoulement destre appliez, lautre moite ent a celluy qen celle parte pur ceo suer voet per action de dette, en quele semblable processe rule & demeane soient ewez, sicome usuelment sount usez en autres actions de dette a la commune ley; et qe le defendaunt en ascune autiel action ne soit resceuz ne admise a sa ley, ne qe ascune protection ou essoin de service nostre tressoveraigne seignur le Roy en ascune manere soit allowez.

CAP. IX.

What lands an escheator must have: whom he may make his deputy: he shall not let his office to ferm.

Ex edit. Pult. 42 Ed. 3. c. 5.

ITEM, Whereas by an ordinance made at *Westminster* the xlij year of the reign of King *Edward* the Third, progenitor of our lord the King that now is, amongst other things it was ordained, That none should be made escheator, unless he had xx li. of land at the least, or more in fee, (2) and that they should do their offices in their proper persons, and if any other be, he shall be out: (3) which ordinance according to the true meaning thereof is not observed, to the great damage of divers people of this realm of *England*, because that many persons insufficient and of evil conscience, be yearly made escheators in divers parts of this realm of *England*, which often do set their office of escheatorship to ferm to other great men extortioners and oppressors of the people, the same escheators taking of the said persons such sum of money as betwixt them may be agreed, and surety to be discharged upon their account, and to be saved harmless against our sovereign lord the King and all other persons: (4) which persons so unlawfully taking the said office of escheatorship, by an undue manner to ferm, do enforce themselves to be extortioners and offenders to the people; (5) whereof old time by the government of the realm of *England*, escheators and their deputies should be, and ought to be good, sufficient, and well disposed persons and rightful, as well to our lord the King, as to his people: where at this day few such persons be made escheators or their deputies: (6) it is therefore ordained by authority of this present parliament, That no escheator to be made after the feast of the nativity of our Lord, which shall be in the year of our Lord God, 1473, shall take upon him the office of escheator, nor occupy the same office by himself nor by any other, unless the said escheator or other person or persons to his use, have at the time that he shall be chosen escheator, lands, tenements, or rents in fee simple, fee tail, or for term of life, of the yearly value of xx. li. lying and being within the same county or counties whereof he shall be made escheator. (7) Nor that any such escheator to be chosen after the said feast shall in any wise

No man shall be escheator unless he hath xx l. land or rent in the same county.

No escheator shall let his office to ferm,

wiſe ſell nor let to ferm the ſaid office of eſcheatorſhip, nor make any deputy or deputies, but ſuch for whom he will anſwer at his peril; (8) the name or names of the ſaid deputy or deputies to be certified by the ſame eſcheator by his letters patents to the treaſurer, and barons of the King's exchequer for the time being, within twenty days after ſuch deputation. (9) And that no ſuch deputy or deputies take upon him or them to occupy in the office of eſcheatorſhip, unleſs ſuch eſcheator have lands, tenements or rents, to the aforeſaid yearly value, in manner and form as is aforeſaid: (10) and if any perſon or perſons after the ſaid feaſt do contrary to the premiſſes or any of them, he ſhall forfeit for every default xl li. (11) the one half thereof to our ſovereign lord the King, to be employed to the uſe of his honourable houſe: the other half to every of the King's liege people, which will therefore ſue by action of debt, (12) wherein like proceſs, rule, judgment, coſts and damage, ſhall be had and awarded, as is uſed in other actions of debt uſually purſued by writ at the common law; (13) and that no waging of law, protection, nor eſſoin be in any wiſe allowed in the ſame to the defendant: (14) and the juſtices of peace in every place corporate, and the juſtices of peace in every other place having juſtices of peace within them, ſhall have power to hear and determine every ſuch forfeiture upon preſentment thereof had before them in their ſeſſions; (15) in which preſentment, like proceſs ſhall be had, as is uſed upon indictments of treſpaſs done with force and arms againſt the King's peace. (16) Provided always, That this act do not extend to any perſon or perſons made or to be made eſcheator of any city, borough, or town of this realm of *England*, having authority to make or to be eſcheators within themſelves by the letters patents of the grant of our ſovereign lord the King, or any of his noble progenitors or predeceſſors.

or make any deputy, but for whom he will anſwer.

Juſtices of peace may inquire of and puniſh the offences aforeſaid.

Saving the right of cities or boroughs, &c. having authority to make eſcheators.

Statutes made at *Weſtminſter*, *Anno* 14 EDW. IV. and *Anno Dom.* 1474.

NOSTRE ſeignur le Roy *Edward* le quart, a ſon parlement ſommones & commences a Weſtm' le vje. jour dOctobr' lan de ſon reigne xijme et per diverſes prorogations a le xxiij. jour de Jaynuer lan de ſon reigne xiiij. continues, per ladvys & aſſent des ſeignurs eſpirituelx & temporelx & les communes en le dit parlement le dit xxiij. jour aſſemblez, & par auctorite de

OUR *lord the King*, Edward *the Fourth, at his parliament ſummoned and begun at* Weſtminſter *the ſixth day of* October, *in the twelfth year of his reign, and continued by prorogation till the three and twentieth of* January *in the fourteenth year of his reign, by the advice and aſſent of the lords ſpiritual and temporal, and by the commons, in the ſaid parliament the ſaid twenty third day aſſembled,*

by

by authority of the ſame parliament willeth and granteth, and by the advice of the ſame hath ordained and enacted.

meſme le parlement, voet & graunte, & per ladvys de meſme ad ordeigne & enacte.

CAP. I.

For the King's tenants going in his wars.

Ex. edit. Raſt. They who holding their lands of the King ſhall paſs with him in his ſervice into France, ſhall have licence to paſs their lands without fine, and to make a feoffment to the uſe of their wills, though it be done by colluſion; and if he that is the King's tenant die in this ſervice, his heir within age, his feoffees, and executors ſhall have wardſhip of the lands and body of the heir.

THAT all ſuch perſons, and every of them, which by the grace of God ſhall paſs over the ſea with our ſaid ſovereign lord the King in his voyage royal and noble ſervice, and ſhall abide in his noble ſervice, by their attornies or deputies or any of them, or by the attorney or deputy of any of them, ſhall enter and take, and may enter and take poſſeſſion and profit of and in all honours, caſtles, manors, lands, tenements, rents, advowſons, hereditaments, and poſſeſſions, which be to them deſcended, or to any of them hereafter ſhall deſcend, remain, revert, or by any mean ſhall come after the death of any of their anceſtors, or any perſon or perſons in any other form by the courſe of the law of the land, during the ſaid voyage, if any parcel be holden of our ſovereign lord the King by their ſaid entry, poſſeſſions, taking of the iſſues and profits of the ſame, without fee or fine to be paid to our ſovereign lord the King for the ſame. And if any office be thereof found hereafter, then they and every of them to have eſpecial liveries and livery under the great ſeal of our ſovereign lord the King, without fee or fine to be paid for the ſame to our ſovereign lord the King, to enter and take poſſeſſion in and of the honours, caſtles, and all other the premiſſes, every perſon according to his right and title: and the ſame to have and enjoy with the iſſues and profits of the ſame of their title grown to them and every of them, without any other livery petition or purſuit of the law to be made in this behalf to our ſovereign lord the King. And that during the ſame time of the voyage, and they abiding in the King's noble ſervice, as afore is ſaid, no manner proceſs to be made in any of the counties of our ſovereign lord the King againſt any of the ſaid perſons, for any homage, fealty or other corporal ſervice, which may not be done but in their proper perſons, for any honours, caſtles, ſeigniories, manors, lands, tenements and other hereditaments and poſſeſſions, which they or any perſon or perſons to their uſe have or hereafter ſhall have during the ſaid voyage, and being in the King's noble ſervice as afore is ſaid. But that all ſuch proceſs ſhall ceaſe during the ſaid voyage and ſervice. And they and every of them ſo paſſing in the ſaid voyage royal, as afore is ſaid, and the feoffees to the uſe of every of them may have licence under the King's great ſeal, without fee or fine to be paid for alienations feoffments and grants of the honours, caſtles, manors, lands, tenements, rents, ſervices, annuities, and other hereditaments and poſſeſſions with their appurtenances, to ſuch perſons whom them ſhall pleaſe: and the ſame perſons to receive the ſame honours, caſtles and other the premiſſes, of what manner eſtate them ſhall pleaſe, to the intent

that

that they may thereof make their will for payment of their charges and other things. And if it happen any of the ſaid perſons, which ſo ſhall paſs and abide in the ſaid voyage and ſervice of our ſaid ſovereign lord the King as afore is ſaid, to die during the ſaid time and in the ſaid ſervice, his heir being within age, that then all manner perſons, having any manner eſtate by way of feoffment or otherwiſe to the uſe of the ſame perſon or perſons ſo dying, in any honours, caſtles and other the premiſſes with their appurtenances, to the uſe and performance of the will of the ſaid perſon, which doth ſo deceaſe, ſhall have the ſame without any interruption of our ſovereign lord the King, or any of his officers or miniſters, by reaſon of any office thereof to be found, although the ſaid feoffments eſtate or alienation were made or had by colluſion or otherwiſe intituling our ſovereign lord the King: except ſuch manors, lands and tenements, which any perſon or perſons, paſſing or going with the King in this voyage royal as afore is ſaid, or by the grant or gift of our redoubted ſovereign lord the King in any manner: and that they and every of them having and obtaining the ſame manors, lands and tenements, may by the authority aforeſaid make eſtate of the ſame ſaid manors, lands or tenements in any manner parcel of the ſame manors, lands and tenements to other perſons in fee or otherwiſe to their own uſe, in performing of their wills, as before is ſaid. And the ſame eſtate or eſtates ſo to be made, to be good and effectual, as long as the ſaid grants and gift thereof made or to be made by our ſaid ſovereign lord the King to them or any of them ſhall ſtand and be in their force and effect and not determined, nor revertible to our ſaid ſovereign lord the King or his noble heirs. And moreover our ſaid ſovereign lord the King hath ordained ſtabliſhed and enacted, by the aſſent of his lords ſpiritual and temporal, and the commons being in the ſame parliament, That if it happen any of the aforeſaid perſons, ſo paſſing and abiding with our ſaid ſovereign lord the King in his ſaid ſervice and voyage royal as afore is ſaid, to die, his heir being within age now or hereafter holding or obtaining any lands or tenements of our ſovereign lord the King by knights ſervice: his ſaid feoffees and alſo his executors, ſhall have and enjoy the ward and marriage, with the ward of the ſame manors, lands, and tenements ſo holden, during the nonage of the ſame heir, to the uſe of the ſame perſon ſo dying: and with the ſame to perform all his will. And moreover the ſame our ſovereign lord the King ſhall grant by his letters patents the ward and marriage of the ſame heir, and of all his manors, lands and tenements, which the King ought to have by reaſon of the ſame, to the ſame feoffees or executors of the ſame perſon or perſons ſo dying, or to ſuch of them, which for the ſame will ſue, to the uſe of the ſame perſon or perſons ſo dying as afore is ſaid, without fee or fine to the King for the ſame to be paid. Saved always to every perſon or perſons, and to their heirs and ſucceſſors, other than our ſovereign lord the King and his heirs and executors, all their right, title, prerogative and intereſt

which

which they have or may have in any of the premiſſes, as if this aforeſaid act had never been made, except corporal ſervice, as afore is ſaid, which corporal ſervice may not be done but in their proper perſons as afore is ſaid: and if any doubt or queſtion riſe or happen in any manner in the interpretations or conſtructions of the points or articles aforeſaid, or any of them, then the ſame our ſovereign lord the King will and granteth by the ſame authority aforeſaid, That the lords ſpiritual and temporal, and other of his council, being here in his abſence, ſhall have full power and authority to diſcuſs and ſet in this caſe a due remedy and redreſs by their good diſcretion and advice, according to the faithful intent of the ſame articles and points concerning the ſaid perſons ſo dying in the ſaid ſervice and voyage royal of our ſovereign lord the King beyond the ſea. Provided always That this ſaid act or ordinance, or any thing comprehended or contained in the ſame, ſhall not be in any manner prejudicial nor hurtful to any of the King's liege people: but ſhall only be executory againſt our ſovereign lord the King and his noble heirs.

CAP. II.

An act touching protections for ſuch as go in the King's wars.

The ſame law and the ſame protection that was granted by the ſtatute of 9 H. 5. c. 3. to thoſe that were then in Normandy, or would then paſs with K. Henry 5. into France, ſhall be obſerved, and avail for all ſuch as paſs over the ſea with the King.

ITEM, our ſaid ſovereign lord the King remembring that it was ordained enacted and ſtabliſhed, by authority of the parliament holden at *Weſtminſter* the ſecond day of *May*, in the ix. year of the reign of the noble king *Henry* the V. late in deed and not of right king of this noble realm of *England*, as hereafter followeth. Item, whereas the taking of aſſiſes generally hath long ceaſed throughout this realm of *England*, becauſe of a ſtatute and ordinance made by our ſaid ſovereign lord the King, at his ſecond paſſage towards the parts of *Normandy*, and by his council: our ſaid ſovereign lord conſidering the great diſeaſes and damages, which divers of his liege people have had and ſuſtained by the ſame ceaſing, hath ſtraightly commanded and commandeth, That his juſtices ſhall hold the aſſiſes through the realm of *England* in the manner uſed and accuſtomed. And for to eſchew the diſheriſons of the ſame perſons, which now be paſſed and ſhall paſs in this voyage royal of the King (which God ſpeed) and alſo of the perſons which be abiding in the ſervice of our ſovereign lord the King in the parts of *Normandy* and of *France*, it is ordained and provided, That in every protection, with the clauſe of *Volumus* to be made for every of the ſame perſons, there ſhall be in the clauſe of the exception of the ſame contained omiſſion of theſe words, *Aſſiſe nove diſſeiſine*, And that all protections be allowable for them, and every of them in all the counties of our ſovereign lord the King in any place where ſuch protection is caſt forth for any ſuch perſon, in all the pleas of aſſiſes, as well of *no. diſſ.* as of freſh force, without any difficulty. Provided always, That the judgments to be given from henceforth in ſuch aſſiſes arraigned or to be arraigned, ſhall not be prejudicial to any of the ſaid perſons ſo abiding in

in the King's noble ſervice beyond the ſea, as afore is ſaid, which hath any thing in reverſion or in remainder in ſuch lands or tenements, whereof ſuch aſſiſes be or ſhall be arraigned, if they that have in reverſion or remainder in ſuch lands and tenements be not named in the ſame aſſiſes, but that they be againſt them void. And this ordinance ſhall indure till the parliament, which ſhall be next holden after the next coming again of our ſovereign lord the King into this realm of *England*. And if this ordinance, touching the ſaid perſons abiding in the King's ſervice beyond the ſea, and alſo touching the ſaid perſons, which have paſſed and ſhall paſs in the ſaid voyage, be not ſufficient for the eaſe and ſurety of them, it is accorded and aſſented, That the lords of the King's council for the time being, ſhall have full power by authority of this preſent parliament, to ſet ordain and provide ſufficient remedy for the eaſe and ſurety of all the ſaid perſons and every of them, as to the ſaid lords ſhall ſeem available and expedient in the caſe, after their good advice and diſcretion. Our ſovereign lord the King will and hath ordained, enacted and eſtabliſhed, by the advice and aſſent of the lords ſpiritual and temporal, and the commons in this preſent parliament aſſembled, and by authority of the ſame, That the ſame order and the ſame law compriſed in the ſaid ſtatute and ordinance, ſhall be now obſerved and kept, and ſhall be as available for all manner of perſons, which now ſhall paſs over the ſea with our ſovereign lord the King in this voyage royal, and there ſhall abide in his ſaid noble ſervice, as they were for ſuch perſons, which did paſs over the ſea with the ſaid late King, and there did abide in his noble ſervice. And that all ſuch perſons, which now ſhall paſs over the ſea with our ſaid ſovereign lord the King, ſhall have and enjoy in every point all manner advantages, as the ſaid perſons ſo paſſing over the ſea with the ſaid late King had, ſhould have and might have had by reaſon of the ſaid ſtatute. Provided always, That the ſaid perſons ſo paſſing over the ſea with our ſaid ſovereign lord the King, ſhall have no benefit nor advantage of this preſent act, of any entry made by them or any of them in any manors, lands, tenements and other hereditaments after the firſt day of this preſent parliament ſummoned and begun at *Weſtminſter*. This act and ordinance to endure till the next parliament, which ſhall be firſt holden after the next coming of our ſovereign lord the King into *England*.

Provided alſo, That the ſaid perſons ſo paſſing over the ſea with our ſaid ſovereign lord the King, have nor enjoy no benefit nor advantage of or by this preſent act, of any entry made or had after the firſt day of this preſent parliament, or to be made or had at any time hereafter by the ſaid perſons, their attornies or deputies, or any of them, in any manors, lands, tenements and other hereditaments, or any other manors and poſſeſſions. And this act and ordinance to endure till the parliament, which ſhall be firſt holden after the next coming again of our ſovereign lord the King into his noble realm of *England*.

CAP.

CAP. III.

An act for shipping of wools and fells.

An alteration of part of the stat. 12 Ed. 4. c. 5. touching the transporting of wools growing in Cumberland, &c. which hereafter shall be shipped at Newcastle, and from thence conveyed to Calais, or to any other place at the King's pleasure.

OUR sovereign lord the King, the xxv. day of *February*, in the xiiij. year of his reign, remembring that in this present parliament he had ordained and established, by the assent of the lords spiritual and temporal and the commons assembled in the said parliament, a certain act in manner and form as followeth. Our sovereign lord the King remembring, that whereas before this time in divers statutes amongst other things it is ordained and enacted, That all manner wools and fells called morling and shorling, growing within any part of this realm of *England* or *Wales*, except wools and woolfels, called morling and shorling growing in the counties of *Westmoreland*, *Cumberland* and *Northumberland*, and of the growing of the bishoprick of *Durham*, betwixt the waters of *Tyne* and *Teese*, and of the counties of *Richmondshire* and *Northaldertonshire*, except wools to be shipped towards the west in *Gallies* or *Caracks*, to be shipped and carried out of this realm of *England*, shall be conveyed to the staple of *Calais*, and to none other place, upon pain of forfeiture of the said wools and woolfels, and fells called morling and shorling, as in the same statutes more plainly doth appear. Nevertheless, the said statutes and ordinances, notwithstanding a great multitude of the said wools and woolfels, and fells called shorling and morling growing in *Yorkswold* in the county of *Lincoln*, *Nottingham* and *Derby*, and in other counties of this realm of *England*, under the colour of exception before rehearsed in the same north parts, be carried out of this realm of *England* into *Flanders*, *Holland*, *Zealand*, *Brabant*, and other divers parts beyond the sea, whereby not only great decay was of the King's customs and subsidies, but also destroying and diminishing of the price of the said wools, woolfels, and fells called shorling and morling, growing within this realm, to the universal damage and great impoverishment of the same: our sovereign lord the King, by the advice, assent and authority aforesaid, hath ordained, enacted and established, That all wools, woolfels, and fells called shorling and morling, growing within this realm (other than before excepted) to be shipped and conveyed out of the realm, shall be conveyed to the staple of *Calais*, and to none other place. And that all wools, woolfels, and fells called shorling and morling, growing and being within the said counties of *Westmorland*, *Cumberland*, and *Northumberland*, the bishoprick, *Richmond*, and *Alderton*, to be carried out of this realm, shall be shipped at *Newcastle* upon *Tyne*, only, and from thence to be conveyed to *Calais*, or to *Newmiddleburgh* in *Flanders*, there to be stapled and uttered, and at none other place. And if any man attempt and do contrary, and thereupon be duly convict: that then he shall be of like condition, as a man attainted of any felony, after the course of the common law, and shall run in like pain and forfeiture as he that is so attainted should do.

Also

Alſo by the ſame advice and anthority it is ordained, That all wools, woolfels, and fells called ſhorling and morling, growing or being in any county within this realm or in *Wales*, or in the marches thereof (other than before excepted) to be carried out of this realm, ſhall be conveyed to the ſaid ſtaple of *Calais*, and to none other place, upon the ſame pain and forfeiture. The King's prerogative to grant any licence to the contrary excepted. This act to begin to take effect at the feaſt of Saint *Michael*, which ſhall be in the year of our Lord God, 1474, and to endure by the ſpace of five years only, which act our ſovereign lord the King will, ordaineth, and eſtabliſheth, by the aſſent of the lords ſpiritual and temporal, and the commons of this land in this preſent parliament aſſembled, to be in his full ſtrength and effect in every point thereof. Saving only, whereas it is by the ſame ſtatute ordained, That all wools, woolfels, and fells called ſhorling and morling, growing and being within the ſaid counties of *Weſtmoreland*, *Cumberland*, *Northumberland*, the biſhoprick, *Richmondſhire*, and *Northaldertonſhire*, to be carried out of this realm, ſhall be ſhipped at *Newcaſtle* upon *Tyne* only, and there to be conveyed to *Calais*, or to *New Middleburgh* in *Flanders*, there to be ſtapled and uttered, and at none other place. The ſaid act for ſo much ſhall be void. And that in the ſtead of thoſe words, it ſhall be as hereafter followeth. It is ordained by the ſame authority, That all wools, woolfels, and fells called ſhorling and morling, growing and being within the ſaid counties of *Weſtmoreland*, *Cumberland*, *Northumberland*, the biſhoprick of *Richmondſhire*, and *Northaldertonſhire*, to be carried out of this realm, ſhall be ſhipped at *Newcaſtle* upon *Tyne* only, and from thence to be carried to *Calais*, or to the town of *Berwick* in *Brabant*, or to any other certain place at the King's pleaſure to be named, there to be ſtapled and uttered, and at none other place. Alſo it is ordained by the aſſent and authority aforeſaid, That in caſe where our ſovereign lord the King ordaineth, that the ſaid wools and woolfels, called ſhorling and morling, of the growing of the counties and biſhoprick aforeſaid, to be ſtapled in any other place beyond the ſea than at *Calais* or *Berwick* aforeſaid, that then the place ſo to be named by the King, ſhall be certified and publiſhed by open proclamation in the ſaid counties of *York*, *Northumberland*, *Cumberland*, *Weſtmoreland*, the biſhoprick of *Durham*, and the town of *Newcaſtle*. And that every of the ſubjects of our ſovereign lord the King, after ſuch proclamations made, and after three months after the ſaid proclamation paſſed, ſhall be bound to have and carry the ſaid wools and woolfels to the ſaid places, to be named by our ſovereign lord the King, and expreſſed in the ſaid proclamation, upon the pain before limited.

CAP.

CAP. IV.

A confirmation of ſtatutes made againſt the breakers of truce, &c.

15 H.6 c.3.
18 H.6 c.8.
20 H.6.c.1.
31 H.6.c.4.

ITEM, *whereas divers and great offences and attempts have now of late been done and committed againſt the amities and leagues made betwixt our ſaid ſovereign lord the King, and ſtrange princes, againſt the ſafe-conducts and licences of our ſaid ſovereign lord the King, and againſt the laws and ſtatutes heretofore made for the puniſhment of ſuch offenders in that behalf, to the great ſlander of our ſaid ſovereign lord the King, and the general hindrance of all this realm of* England; (2) the King therefore, by advice and aſſent of the lords ſpiritual and temporal, and the commons, in this parliament aſſembled, and by authority of the ſame parliament, hath ordained, eſtabliſhed, and enacted, That all ſtatutes and ordinances made before the fourth day of *March*, in the firſt year of his reign, by authority of any parliament, not repealed, againſt the offenders and breakers of amities, truces, leagues and ſafe-conducts aforeſaid, be and ſhall be in their full force and effect: (3) and that every of the ſame ſtatutes and ordinances be put in due execution in all things before the judge or judges, perſon or perſons ordained by the ſame ſtatutes or ordinances, or any of them, according to the tenors and effects of every the ſame ſtatutes and ordinances; any grant or confirmation by act of parliament or otherwiſe, uſe, or cuſtom, made, had, or uſed to the contrary notwithſtanding; (4) provided always, That this

A confirmation of all ſtatutes not repealed, made againſt the breakers of truces, leagues, ſafe-conducts and licences.

This confirmation doth not extend to the ſtatute of 2 H.5.ſtat.1. c.6.

ITEM pur ceo qe pluſours & graundes offenſes & attemptates ount ore tarde eſte commys & perpetres encountre les amiſties & les lieges faitz entre noſtre dit ſoveraigne ſeignur le Roy & princes eſtraunges, & encountre les ſaufconduits & licences noſtre dit ſoveraigne ſeignur le Roy, & encountre les leies & eſtatuitz per devaunt fait pur le puniſhment des tielx offendours en celle partie, a graund deſclaundre noſtre dit ſoveraigne ſeignur le Roy & univerſal damage de tout ceſt roialme dEngleterre; le Roy pur ceo del advys & aſſent de les ſeignurs eſpirituelx & temporelx & communes en ceſt parlement aſſemblez, & per lauctorite de meſme le parlement, ad ordeigne enacte & eſtablie, qe toutz eſtatuitz & ordeignaunces devaunt le quart jour de Marche en lan primer de ſon reigne faitz per auctorite daſcun parlement nient repellez, encountre les rumpours ou offendours des amiſtees, triewes, lieges, & ſaufconduitz avauntditz, eſtoient & ſoient en pleyne force & effect: & qe cheſcune des meſmes les eſtatuitz & ordeignaunces ſoit miſe en due execution en toutz choſes, devaunt le juge ou juges, perſone ou perſones, ordeignes per meſmes les eſtatuitz ou ordeignaunces, ou aſcun de eux, accordaunt as les tenours & effectz de cheſcune meſmes les eſtatuitz & ordeignauncez; aſcun graunt ou confirmation per act du parlement, ou autrement, uſe, ou cuſtume, fait,

ewe

ewe, ou uſez, al contrarie nient contriſteaunt. Purveu toutz foitz, qe ceſt act nextend pas al aſcun act ou ordeignaunce fait pur la punition dautielx offendours en lan ſecond de Henry quint nadgairs en fait & nient de droit Roy dEngleterre.

this act extend not to any act or ordinance made for the puniſhment of any ſuch offenders in the ſecond year of King *Henry* the Fifth, late in deed, and not of right, king of *England*.

Statutes made at *Weſtminſter*, *Anno* 17 EDW. IV. and *Anno Dom.* 1477.

NOſtre ſeignur le Roy Edward puis la conqueſt quart a ſon parlement tenuz a Weſtm' le xvj. jour de Januar' lan de ſon reigne dis & ſeptiſme, al honour de Dieu & pur la bien de luy & de ſon roialme, del advys & aſſent des ſeignurs eſpirituelx & temporelx & al inſtaunce & requeſte des communes en le dit parlement aſſemblez & per auctorite de meſme le parlement, ad fait ordeigner & eſtablier diverſes ordeignaunces & eſtatuitz en la fourme qenſuiſt.

OUR *lord King* Edward *the Fourth after the conqueſt, at his parliament holden at* Weſtminſter *the ſixteenth day of* January, *in the ſeventeenth year of his reign, to the honour of God, and the wealth of him and his realm, by the advice and aſſent of his lords ſpiritual and temporal, and at the ſuit and requeſt of his commons, in this preſent parliament aſſembled, and by authority of the ſame parliament, hath made to be ordained and eſtabliſhed divers ordinances and ſtatutes in form following.*

CAP. I.

An act concerning money.

FIRST, whereas in a ſtatute made the ix. year of King *Edward* the Third, noble progenitor to our ſovereign lord the King that now is, it was ordained, That no falſe money counterfeit to the ſterling, ſhould be brought into this realm, upon pain of forfeiture of the ſame money. Saving that all manner of people of every realm might bring to the exchange as bullion, all manner good money of ſilver, of whatſoever value it were, and there to receive covenable exchange. And whereas in the ſecond year of the pretenſed reign of king *Henry* the Fourth, for the great deceit which then was in the money of gold and ſilver in *Flanders* and *Scotland*, which commonly did run, and payments made in divers parts of this realm of *England*, to the great damage of our ſovereign lord the King, and his people, amongſt other it was ordained, That all the money of gold and ſilver of the coin of *Flanders*, and of all other lands and countries beyond the ſea, and of *Scotland*, ſhould be voided out of the realm of *England*, or put to the coin or bullion within the ſame realm, before the feaſt of *Chriſtmas* then next following, upon pain of forfeiture of the ſame, which ordinances were made becauſe that the ſame money expended and ſuffered

Ex edit. Raſt. No Iriſh money ſhall run in payment in England or Wales, upon pain of forfeiture thereof. It ſhall be felony to carry out of England or Wales any coin of this realm, or any plate, bullion, jewels of gold or ſilver, without the King's licence (except priſoners ranſoms, ſoldiers money, &c.)

No perſon ſhall melt any money of gold or ſilver ſufficient to run in payment, upon pain of forfeiture of the value thereof. All things wrought of ſilver to be ſold, ſhall be as fine as the ſterling, and ſhall be marked with the leopard's head, and the workman's mark. All merchants aliens ſhall employ the money received for their merchandiſes upon the commodities of this realm. Made perpetual 3.H.7.c.8. and afterwards continued for twenty years by 7Ed.6.c.6.
9 Ed.3.ſt.2.
2 H.4.c.6.
3 H.7.c.8.
4 H 4.c.15.
27 H.6.3.

to run in payment within this realm were deceitful. And now ſo it is, that of late, and at theſe days counterfeit and falſe money of ſuch countries allayed, as groats and pence made in *Ireland*, in part like to groats, half groats, and pence, of this realm, in ſuch a great multitude be daily brought into this realm out of *Ireland* and other places, and put in payments in this realm, which if it ſhould long endure, it ſhould not only deſtroy the good money of this realm, but alſo ſhould cauſe the good money of ſilver of this realm made within the ſame, to be tranſlated and turned into the ſaid falſe and counterfeit money made in *Ireland* and other places. And alſo ſhould cauſe a great part of the plate of ſilver to be carried out of the realm, and to be coined with the ſaid falſe and counterfeit money: wherefore by the aſſent, requeſt, and authority aforeſaid, it is ordained, That after the feaſt of *Eaſter* next coming, none of the ſame money of *Ireland* ſhall run in payment within this realm, *Wales*, *Calais*, or the marches of the ſame, nor that no perſon after the ſaid feaſt put any of the ſame monies, nor the ſame receive in any payment within this realm, *Wales*, *Calais*, or the marches of the ſame, or any part of the ſame, upon pain of forfeiture of the ſame money ſo put or received for or in payment. The ſame money ſo forfeit to be ſeiſed by any of the King's liege people, and in three parts to be divided, whereof one part ſo forfeit ſhall be applied to the uſe of the King's houſe, another part thereof to him or them which ſhall find and prove the ſame forfeiture before any juſtices of peace of any county within this realm, where any ſuch forfeiture ſhall happen, or before the mayors, bailiffs, ſheriffs, or other chief governors of city, borough, or town corporate, or within any of the five ports within this realm of *England*, or at *Calais*, before the treaſurer and comptroller there, if like forfeiture fall or happen, and all the reſidue of the ſame forfeiture ſhall be to the mayor, bailiff, or other chief governor of the city, borough, or town corporate, or any of the five ports where ſuch forfeiture ſhall be found, to be applied to the uſe of the ſame city, borough, town or port, to ſuch of them which have any forfeitures by any lawful grant or authority of the ſaid parliament of our ſovereign lord the King. And if they have no manner ſuch forfeiture, then the ſame third part reſidue ſhall be applied to them which have ſuch forfeiture within the ſame city, borough, or town corporate, or any of the ſaid five ports by like authority or otherwiſe. And the whole forfeiture to be found and proved at *Calais*, or at the marches of the ſame, ſhall be only to our ſovereign lord the King. And if ſuch forfeiture happen to be found and proved, in any other town or village not corporate, the ſame reſidue of the ſaid forfeiture ſhall be to the chief lord of the fee of the ſame town, to be applied to the uſe of the ſame lord. And if variance do fall betwixt any finder, affirming againſt any other perſon ſuch forfeiture to be, ſo that the ſame money forfeit may not be ſeiſed without action by the ſaid finder to be ſued, That then the ſame finder, if he will purſue and prove the ſaid forfeiture, or in his default any other perſon who will ſue and prove

prove ſuch forfeiture, he ſhall be thereto received, and have an action of debt in this behalf, or at the common law at his election, or otherwiſe before the juſtices of peace of the county, out of the city or town corporate where ſuch forfeiture ſhall happen. And if it happen in city, borough, or town corporate, then before the mayor, ſheriff, or bailiffs, or other chief governor there, by bill or bills in this behalf, in which action of debt to be purſued at the common law, like proceſs, judgment, and execution ſhall be, as is uſed in other actions of debt there to be purſued. And in ſuch bill or bills to be purſued before the juſtices of peace, or before any of the ſaid mayor, ſheriff, or baillifs or other chief governors aforeſaid, the proceſs before appearance ſhall be had by attachment by the body infinite. And after judgment by *Fieri facias*, *Capias ad ſatisfaciendum*, or *Elegit*, at the election of the purſuer in this behalf. The purſuer which ſo doth recover, to retain his part aforeſaid of the ſaid forfeiture pertaining to him in his own hands to his own uſe. And the part pertaining to the King, to be delivered to the ſheriff or ſheriffs, bailiff or bailiffs, in the King's exchequer, to be accountable of ſuch county or place corporate, where ſuch recovery ſhall be had by writing indented in this behalf to be made, to be employed to the uſe of our ſovereign lord the King as is aforeſaid. And the reſidue of the ſaid forfeitures recovered, to be delivered to any of the ſaid mayors, ſheriffs, baillifs, or other chief governors corporate, as afore is ſaid, to be applied in the manner and form before ſpecified. And if any ſuch forfeitures be found and proved in any town or village not corporate, the ſame to be delivered to the ſaid lord of the fee, to be applied to his uſe. And whereas by the ſtatute made in the ſecond year of the pretenſed reign of the late king *Henry* the Sixth, it was ordained amongſt other, That no gold nor ſilver ſhould be carried out of this realm, upon pain of forfeiture of the value of the ſame, and that he which eſpieth the ſame, and thereof giveth knowledge to the council or treaſurer of *England*, ſhould have the fourth part of ſuch forfeiture (ranſom and fine of the *Engliſh* priſoners taken beyond the ſea, and the money which ſoldiers ſhall carry with them for their reaſonable coſts, with other things in the ſame ſtatute compriſed, excepted) contrary to which ſtatute and ordinance, and divers other ordinances touching the ſame, before this made, the money of gold and ſilver and veſſel, and plate of gold and ſilver of this land, as merchandiſes is carried and ſent out of this realm, as well by the denizens as aliens, to the great impoveriſhing of this realm, and final deſtruction of the treaſure of the ſame realm, if haſty remedy be not provided: it is ordained and eſtabliſhed by the authority aforeſaid, That no perſon from the feaſt of *Eaſter*, ſhall carry nor do to be carried out of this realm or *Wales* any manner money of coin of this realm, nor of the coin of other realms, lands, or ſeigniories, nor no plate, veſſel, maſs, bullion, nor jewels of gold wrought or unwrought, or of ſilver, without the King's licence: except ſuch perſons as be diſpenſed within the

2 H.6.c.6.

foreſaid ſtatute made the ſecond year of King *Henry* the Sixth, and in other divers ſtatutes, upon pain of felony, and to be adjudged and reputed as a felon. The ſame felony to be heard and determined in like manner and form, and before ſuch perſon or perſons, as other felonies be commonly heard and determined within this realm. And whereas in the ſtatute made in the ninth year of King *Edward* the Third, amongſt other things it was ordained, That the ſterling halfpenny or farthing ſhould not be molten for veſſel nor none other thing by goldſmith or other, upon pain of forfeiture of the money molten. And that the goldſmith or other that ſo doth melt, ſhall be commanded to priſon, there to remain till he hath yielded to the King the one half of that he hath ſo molten, notwithſtanding any charter or franchiſe granted to the contrary, which ſtatute was confirmed by King *Richard* the Second, in his parliament holden the xvii. year of his reign. And then amongſt other it was ordained, That no groat nor half groat ſhould be molten by no perſon for veſſel, nor other thing thereof to be made, upon the pain aforeſaid: contrary to which ſtatutes the ſaid monies of ſilver and monies of gold of this realm, by goldſmiths and other perſons are daily molten for veſſel and other things thereof to be made; ſo that by the ſame cauſe and by the ſaid carrying of money of this realm, and by the great quantity of gold beaten for imagery and ſuch like, and by the waſting of gold in gilding in divers manners by goldſmiths, cutlers, and other artificers, the money of this realm is greatly diminiſhed, to the univerſal damage of this realm: therefore it is ordained by the ſaid authority, That no goldſmith nor other perſon from the ſaid feaſt of *Eaſter*, ſhall melt or beat within this realm, *Wales*, *Calais*, or the marches of the ſame, any money, of gold or ſilver not broken, ſufficient to run in payment, nor by any occaſion of ſenſuality to miniſh, bow or break the money of this realm, able to run in payment, for to make any veſſel or other thing thereof, nor to gild any thing with the ſame; nor that any goldſmith or other perſon within this realm, *Wales*, *Calais*, or the marches of the ſame, from the ſaid feaſt of *Eaſter*, ſhall gild any manner veſſel, baſon, pots, cups, nuts, or ſaltcellars of ſilver, (ornaments of churches, ſtuff for knights made or to be made, and apparel neceſſary to be gilt for every ſuch perſon diſpenſed by the ſtatute of array, made in the third year of the reign of our ſovereign lord the King that now is, and in the ordinance of apparel made in this preſent parliament excepted,) upon pain to forfeit the double value of the money ſo molten, or voluntarily bowed or broken, or to the value of the veſſel, baſon, pots, cups, nuts, or ſaltcellars of ſilver, or other thing gilt, or the thing in which any ſuch gilding ſhall be, (except before excepted.) The third part of every ſuch forfeiture to be applied to the uſe of the King's honourable houſe: the other part thereof to the uſe of him or them which ſhall find and prove the ſame forfeiture, in the manner as afore is ſaid in the article of money of *Ireland*. The reſidue of the ſaid forfeiture to be to the mayor, theriffs, bailiffs, or other chief governors of the city,

17 R.2.c.1.

city, borough, or town corporate, or any of the five ports where ſuch forfeiture ſhall be found and proved, to be applied to the uſe of the ſame city, borough, town or port. And that the whole forfeiture be found and proved at *Calais* or the marches of the ſame, to be only to our ſovereign lord the King. And if any ſuch forfeiture happen to be found and proved in any town or village not corporate, the ſame reſidue ſhall be to the chief lord of the fee of the ſame town or village to be applied to the uſe of the ſame lord. The finder of the ſame forfeiture, if he will purſue and prove the ſame, or in his default any other perſon which will purſue or prove ſuch forfeiture, ſhall be thereto received, and have in this behalf an action of debt or at the common law at his election, or before the juſtices of peace of the ſame county out of the city or town corporate, where ſuch forfeiture ſhall happen. And if it happen in city, borough, or town corporate, then before the mayor, ſheriff or ſheriffs, bailiff or bailiffs, or other chief governor there, by bill or bills in this party, in which action of debt, and in the ſaid bill and bills to be purſued, like diſpoſition, demean, behaviour, receiving, judgment and execution in this part ſhall be had, according as in the aforeſaid article concerning money of *Ireland* is contained, any charter, grant, corporation or act made to the contrary notwithſtanding. And whereas in the parliament holden the ſecond year, of the uſurped reign of *Henry* the Sixth, late in deed and not of right King of *England*, amongſt other it was ordained, that no goldſmith nor worker of ſilver within the city of *London*, ſhould ſell any thing wrought of ſilver, unleſs it be as fine as the ſterling, except that that needeth ſolder in the making, which ſhall be allowed according as the ſolder ſhall be neceſſary to be wrought in the ſame. And that no goldſmith nor jeweller, nor other man that worketh harneſs of ſilver, ſhall put any of the ſame to ſale in the ſame city, before it be touched with the touch of the leopard's head, that which may reaſonably bear the ſame touch. And alſo with the mark or ſign of the worker of the ſame, upon pain of forfeiture of the double. And that the mark or ſign of every goldſmith ſhall be committed to the wardens of the ſame myſtery. And if it may be found, that the keeper of the touch aforeſaid, do touch any ſuch harneſs with the leopard's head, which is not as fine in allay as the ſterling, that then the keeper of the touch for every thing ſo proved not ſo good in allay as the ſterling, ſhall forfeit the double value to our ſovereign lord the King and to the party, which ſtatute is daily broken by the goldſmiths and other workers of ſilver, inhabiting as well in the city of *London* as elſewhere within this realm and *Wales*, and our ſovereign lord the King in effect nothing anſwered of any forfeiture compriſed in the ſame ſtatute, albeit that the King's liege people daily buying things wrought by the ſaid goldſmiths or workers as fine gold or fine ſilver, ſuppoſing it to be the ſame, when in deed it is not ſo, be grievouſly deceived, becauſe that the ſaid touch of the leopard's head is oftentimes ſet to ſuch things by the ſaid keeper of the ſaid touch of *London* and other places, as though the thing were fine and not defective.

And oftentimes the ſign of the worker of the ſame is not ſet thereto according to the ſtatute aforeſaid, nor the action given in the ſame ſtatute is no perfect remedy to the perſons grieved in this behalf. It is ordained by authority of this preſent parliament, for the better execution of the ſaid ſtatute, and for to eſchew the deceit daily done by the ſaid goldſmiths and workers of gold and ſilver in the ſaid city of *London* and elſewhere, within this realm and *Wales*, that no goldſmith nor other worker of gold and ſilver, or either of the ſame metals, from the ſaid feaſt of *Eaſter*, ſhall work, ſell, or ſet to ſale, any manner baſe gold under the fineneſs of xviii. carats otherwiſe called crates, nor no ſilver uuleſs it be as fine as the ſterling. Except ſuch thing as requireth ſolder in making of the ſame, which ſhall be allowed according to the ſolder neceſſary to the making of the ſame, upon pain of forfeiture of the double value of any ſuch gold or ſilver wrought or ſold to the contrary. Nor that no goldſmith, jeweller, nor other worker of harneſs of ſilver, ſhall ſet no harneſs of ſilver plate, nor jewel of ſilver to ſell, from the ſaid feaſt of *Eaſter*, within the ſaid city of *London*, or within two miles of *London*, before it be touched with a touch of the leopard's head crowned, ſuch as may bear the ſame touch, and alſo with a mark or ſign of the worker of the ſame ſo wrought within the city of *London* or two miles of the ſame, upon pain of forfeiture of the double value of any ſuch ſilver wrought and ſold to the contrary. And that the mark or ſign of every goldſmith be committed to the wardens of the ſame myſtery. And if it may be found, that the ſaid keeper of the touch of the leopard's head crowned, aforeſaid, do mark or touch any ſuch harneſs with the leopard's head, if it be not as fine in allay as the ſterling, then the ſaid keeper of the ſaid touch, for every thing proved not of as good allay as the ſterling, ſhall forfeit the double value: the ſame forfeitures to be divided in two parts, the one half to be applied to the uſe of the King's houſe, and the other half thereof to the party grieved or hurt, in this behalf; or in his default, any other perſon which will purſue and prove ſuch forfeiture, ſhall be thereto received, and have in this behalf an action of debt, or at the common law at his election, or before the juſtices of peace of the county out of the city or town corporate where ſuch forfeiture ſhall happen, to purſue as well for the King as for himſelf. And if it happen in city, borough, or town corporate, then before the mayor, ſheriff or ſheriffs, bailiff or bailiffs, or other chief governor there by bill or bills in this party. In which action of debt, and in the bill and bills to be purſued, like diſpoſition, demean, behaviour, judgment and execution in this party ſhall be had, according as in the ſaid article concerning the money of *Ireland* is compriſed, any charter, grant, corporation, or act, made to the contrary notwithſtanding. And becauſe there be divers goldſmiths and other workers of gold and ſilver, aliens and ſtrangers inhabiting in the city of *London*, and other places nigh there about, working their works in ſecret places, and privileged

leged, and eloin the ſame, and will not be ſearched by the ſaid wardens of the ſaid goldſmiths of *London* for the time being, nor will not be obedient and governed by them: therefore it is hereby ordained, That from the ſaid feaſt of *Eaſter*, every ſuch alien and ſtranger goldſmith and worker of gold and ſilver inhabiting or to inhabit in the ſaid city of *London*, and other places within two miles of the ſame city, ſhall be obedient and ruled by the ſaid wardens of the ſaid goldſmiths, in all things lawful and reaſonable, and ſuffer the ſtuff of gold and ſilver by them wrought to be ſearched and marked after the rule of the ſaid city, upon pain to be puniſhed in manner and form as goldſmiths and workers of gold and ſilver of *England*, inhabiting within the ſaid city, by the rules of the ſaid craft of goldſmiths ought to be ruled. So always that the ſaid aliens and ſtrangers be not evil entreated, nor otherwiſe charged by any manner impoſition, other than the ſaid *Engliſh* goldſmiths be, ſhall be, and ought to be. And for the better ſurveying of the ſaid aliens and ſtrangers in time to come to be had, it is ordained by the authority aforeſaid, That the ſame aliens and ſtrangers, goldſmiths and workers of gold and ſilver, inhabiting within the ſaid city and every of them, from the feaſt of Saint *Michael* the archangel next coming, ſhall inhabit them in the open ſtreets of the ſaid city, and where better and more open ſhewing is of their craft. And it is ordained by the ſaid authority, That if the aforeſaid keeper of the ſaid touch, or worker of harneſs or other thing of gold or ſilver not made of the ſaid fineneſs, do touch or mark the ſame harneſs or other thing as fine and able, that then for non-ſufficiency of the ſaid keeper and worker, the perſons of the ſaid craft of goldſmiths of the ſaid city of *London*, by whatſoever name or names they be corporate, ſhall be chargeable and charged of the forfeitures by like action or actions of debt as is aforeſaid in like manner and form as immediately before is ſpecified. And whereas in the fifth year of the pretenſed reign of king *Henry* the Fourth, for the better keeping of gold and ſilver within this realm, and for the utterance of the commodities of the ſame realm, it was ordained amongſt other, That the merchant ſtrangers and aliens ſhould ſell their merchandiſes brought, within a quarter of a year after their coming into the ſame, and that the money received in this realm ſhould be employed upon the commodities of this land upon pain of forfeiture of the ſame money. Contrary to which ordinance, the ſame merchants and many other perſons do convey and carry daily the ſame money by them received out of the realm, to the great diminiſhing of the ſame money, and do not employ the ſame in ſubſtance upon the commodities of this realm, whereby the King's cuſtom and ſubſidy be greatly decayed. It is therefore ordained by the authority aforeſaid, That every merchant alien, and every victualler and other ſtranger not being denizen, which ſhall reſort into any place or port of this realm or *Wales* after the ſaid feaſt of *Eaſter*, ſhall duly employ all the money to be received by him within any part of

5 H. 4. c. 9.

the ſame realm or *Wales*, upon the merchandiſes or other commodities of this realm, or without any fraud he ſhall put the ſame in due payment to the King's liege people within this realm. The ſame employment or payment duly to be proved by the merchant alien, victualler, or other ſtranger, before his departing out of the ſame port, by writing to ſuch merchant or merchants, to whom the ſaid merchant alien, victualler, or other ſtranger hath employed or paid his money by him received for his merchandiſes brought into this land, witneſſing that he hath ſo done or by ſuch proofs as ſhall ſeem reaſonable to the cuſtomer or comptroller of the ſame port and mayor, bailiff, or other chief governor of any ſuch city, borough, or town, where ſuch port ſhall be, upon pain of forfeiture of all his goods being within this realm, and to have one year's impriſonment. Saving always to every ſuch merchant, victualler and ſtranger, his reaſonable coſts by the overſight of the ſaid chief governor of the port or place where ſuch merchant, victualler, or ſtranger ſhall arrive. The ſame forfeiture to be demeaned, judged, and departed, in like manner and form by like actions, proceſs, and execution, as is limited of other forfeitures in this act before declared. And becauſe that many forfeitures touching the aforeſaid ſtatutes made before this time have fallen before the ſaid feaſt of *Eaſter*, and by likelihood will more fall by perſons not doubting to offend and break the law, which perſons ought by reaſon to be puniſhed in diſcouraging of other hereafter to offend. It is ordained by the authority aforeſaid, That the juſtices of peace of each county, or other place where juſtices of peace are, ſhall have power to hear and determine all manner defaults and forfeitures touching every of the premiſſes had or done before the feaſt of *Eaſter*, next enſuing, to be had and done againſt the form of any ſtatute before this time thereof made. The ſame forfeitures and every of them to be judged, demeaned, and departed in like manner and form by like action proceſs and execution as before is limited, and declared of and for the ſaid forfeitures before rehearſed in this preſent act and ordinance. Provided always, That this act extend not to any ambaſſador or other ſtranger come or to come into this realm, or to paſs out of the ſame by the King's licence, as for any money of gold and ſilver, plate, or veſſel, or jewel, or any ornament of ſilver or gold concerning his perſon, brought by him into this realm; or to any ambaſſador of the King, herald, purſuivant, or meſſenger, which ſhall paſs out of this realm beyond the ſea, by the King's licence, or to any merchant going over the ſea to buy any wine to be brought into this realm, as for to carry with him only a little cup called a Taſter for wine. Provided alſo, That this act extend not to any of the inhabitants, denizens, or ſtrangers, to come or go to and fro the town of *Calais*, or the marches of the ſame, nor to the dwellers and ſojourners of the ſame; for any money by them or any of them to be conveyed or carried to any places or country out of the ſaid town and marches,

other

other than the money of this realm, or money of other countries carried out of this realm. And to the intent that due notice may be hereof had to the King's liege people in this part, letters of proclamation under the King's ſeal upon this ordinance ſhall be made to every county of this realm and other places neceſſary in all good haſte. This ordinance to endure from the ſaid feaſt of *Eaſter*, till the end of ſeven years then next following. Provided alſo, That this act, as for the part of any forfeiture contained in the ſame, which may pertain to the King, ſhall not extend to give him any ſuch part of ſuch forfeiture to be had or made within the principality of *Wales*, the duchy of *Cornwall*, nor the earldom and counties palatines of *Cheſter* and *Flint*, nor any of them. Alſo it is ordained by the authority aforeſaid, That the noble and excellent prince *Edward*, the King's firſt-begotten ſon, prince of *Wales*, duke of *Cornwal*, and earl of *Cheſter*, ſhall have, perceive, and enjoy, and to his heirs, princes of *Wales*, dukes of *Cornwall*, and earls of *Cheſter*, being the firſt-begotten ſons of the King of *England*, all and every ſuch part of forfeitures, which ſhall be made or forfeit within the ſaid principality, duchy, earldom, counties palatines, or any parcel of any of them, in as ample and large form as the King ought or may have ſuch part of forfeiture in any other place by reaſon of any act made in this parliament, any act made or to be made in this preſent parliament, to the contrary notwithſtanding. Provided alſo, That this act for the diviſion and partition of any forfeiture therein contained, ſhall not extend to or for any forfeiture to be had or made within the liberties or franchiſes of *William*, biſhop of *Durham*. And it is ordained by the ſaid authority, That *William*, biſhop of *Durham*, and his ſucceſſors biſhops of *Durham*, ſhall have all ſuch partitions and forfeitures, which ſhall happen within the ſaid liberties and franchiſes, in as ample and large form as the King ſhould or ought to have in any other place by force of this act. Provided always, That this act nor none other act or ſtatute made or to be made in this preſent parliament, ſhall extend to be prejudicial or hurtful to the abbot of the monaſtery of St. *Peter* of *Weſtminſter* for the time being, nor to any perſon for the time dwelling, reſiant, or being within the ſame monaſtery, or within any place pertaining to the ſame monaſtery, or within any place within the precinct fee or franchiſe of the ſaid abbot, or of the ſaid convent, or to any of the rights, privileges, liberties, franchiſes, immunities, or other thing granted by the King or any of his progenitors, predeceſſors, or poſſeſſors of the royal eſtate and crown of *England*, to the abbot and convent of the ſaid monaſtery and their ſucceſſors jointly or ſeverally, in any manner granted heretofore pertaining. Provided alſo, That the abbot of the ſaid monaſtery, and convent of the ſaid monaſtery and their ſucceſſors, ſhall have, hold, and enjoy freely and effectually, all the ſaid rights, liberties, privileges, franchiſes, immunities, and all other things in the form aforeſaid to them granted, by whatſoever name or names they be named

or

or called jointly or ſeverally in any letters or writing thereupon made, any act or ordinance made or to be made in other manner or thing contrary notwithſtanding. Provided always, That this act nor none other act, ordinance, or ſtatute made or to be made in this parliament, ſhall be in any wiſe prejudicial or hurtful to the dean for the time being, of the King's free chappel of St. *Martin's le Grand*, in *London*, nor to the dean and chapter for the time being, of the ſame chapel, nor to any perſon or perſons for the time dwelling, reſiant, or being within the ſame chapel, or within any place or places within the precinct, fee, or franchiſe of the ſaid dean or dean and chapter. Not to any of the ſaid rights, privileges, liberties, franchiſes, immunities or other things by the King or any of his progenitors, predeceſſors, or poſſeſſors of the royal eſtate and crown of *England*, to the dean and chapter of the ſaid chapel, and their ſucceſſors jointly or ſeverally, in any manner granted, or in any manner heretofore pertaining. And alſo provided, That the dean of the ſaid chapel, and dean and chapter of the ſaid chappel, have, hold, and enjoy, entirely, freely, and effectually, all the rights, privileges, liberties, franchiſes, immunities, and all other things in form aforeſaid, to them granted by whatſoever name or names they be named or called jointly or ſeverally in any letters or writing thereupon made, any act, ordinance or ſtatute made or to be made in any other manner or thing contrary notwithſtanding.

CAP. II.

For the courts of pipowders.

In a court of pipowders the plaintiff ſhall be ſworn that the contract was made in the time and juriſdiction of the ſame fair.

ITEM, *Whereas divers fairs be holden and kept in this realm, ſome by preſcription allowed before juſtices in* eyre, *and ſome by the grant of our lord the King that now is, and ſome by the grant of his progenitors and predeceſſors*; (2) *and to every of the ſame fairs is of right pertaining court of pipowders, to miniſter in the ſame due juſtice in this behalf*; (3) *in which court it hath been all times accuſtomed, that every perſon coming to the ſaid fairs, ſhould have lawful remedy of all manner of contracts, treſpaſſes, covenants, debts, and other deeds made or done within any of the ſame fairs, during the time of the ſame fair, and within the juriſdiction of the ſame, and to be tried by merchants being of the ſame fair*; (4) *which courts at*

ITEM qe come diverſes feires ſount tenuz & gardez en ceſt roialme, aſcuns per preſcription allowez devaunt juſtices en eire, & aſcuns per graunt noſtre ſeignur le Roy qoreſt, & aſcuns per graunt de ſes nobles progenitours & predeceſſours: Et a aſcun ou cheſcune des meſmes les feires eſt de droit apperteignaunt un court de peepowders, a miniſtrer en ceo due juſtice en celle partie, en quele court il y ad toutz jours eſte accuſtume, qe cheſcune perſone venaunt as tielx feires arroit loial remedie des toutz maners contractes, treſpaſſes, covenaunts, dettes, & autres fetes ou autrement faits ou commys deins aſcuns de les meſmes feires durant le temps meſme le feir, & deins la

la juriſdiction del meſme, & deſtre tries per marchauntz eſteantz al meſme la feire; queles courtes es ceſts jours ſount miſuſes per ſeneſchallz ſouth ſeneſchallz bailliffs commiſſariez & autres miniſtrez teignauntz & governauntz les ditz courtes des ditz feires, pur lour ſinguler profit tenauntz plee per plaintes, ſibien des contractes dettes treſpaſſes & autres fetes faitz & commiſe hors le temps des ditz feires ou la juriſdiction del meſme, dount en verite ils ount nulle juriſdiction, ſurmettauntz les contractes dettes treſpaſſes covenauntz & autres fetez eſtre faitz deins le temps des feires, ou deinz la juriſdiction de les meſmes feires, lou en verite ils enſi ne feuſſent; et aſcuns foitz ſur plaintez feintes per ymagination de malvais diſpoſes poeples a troubler ceux as queux ils portent male voluntee, a celle entent qils arroient pur lucre favourables enqueſtes des venantz as ditz feires lou ils preignount lour actions, & perount pluſours venantz as ditz feires ſount grevouſment vexes & troubles per actions feintes & auxi per actions des dettes treſpaſſes fetes & contracts faitz & commys hors del temps des ditz feires, ou juriſdictions del meſme, contrarie equite & bon conſcience, perount les ſeignurs des ditz feires perdent graundes profites per noun venue des diverſes marchauntz a lour feires, qi pur celle cauſe ceux abſteinount, & auxi les communes pur celle cauſe ſount pire ſerves de tiel ſtuff & marchaundiſe quelles autrement viendrount as ditz feires: Noſtre dit ſeignur le Roy, les premiſſes conſideres

this day be miſuſed by ſtewards, under-ſtewards, bailiffs, commiſſioners, and other miniſters holding and governing the ſaid courts of the ſaid fairs, for their private profit, holding pleas by plaints, as well of contracts, debts, treſpaſſes, and other feats done and committed out of the time of the ſaid fairs, or the juriſdiction of the ſame, whereof of truth they have no juriſdiction, ſurmiſing the ſame debts, treſpaſſes, covenants, or other deeds, to be done within the time of the fairs, or within the juriſdiction of the ſame fairs, where of truth they were not ſo; (5) *and ſometime by the device of evil diſpoſed people ſeveral ſuits be feigned, and trouble them to whom they bear evil will, to the intent that they for lucre may have favourable inqueſts of thoſe that come to the ſaid fairs, where they take their actions.* (6) *And whereas divers perſons coming to the ſame fairs, be grievouſly vexed and troubled by feigned actions, and alſo by actions of debt, treſpaſſes, deeds, and contracts made and committed out of the time of the ſaid fair, or the juriſdiction of the ſame, contrary to equity and good conſcience,* (7) *whereby the lords of the ſame fairs do loſe great profit by the not coming of divers merchants to their fairs, which by this occaſion do abſtain, and alſo the commons be unſerved of ſuch ſtuff and merchandiſe which otherwiſe would come to the ſame fairs.* (8) Our ſaid lord the King conſidering the premiſſes, by the advice and aſſent of the lords ſpiritual and temporal, and at the requeſt of the commons, in the ſaid parliament aſſembled, and by the authority of the ſame, hath ordained and eſtabliſhed, That from the firſt day of *May* next enſuing,

Bro. juriſdiction, 119.
4 Inſt. 272.

no ſteward, under-ſteward, bailiff, nor commiſſary, nor other miniſter of any ſuch courts of pipowders, ſhall hold plea upon any action at the ſuit of any perſon or perſons, unleſs the plaintiff or plaintiffs, or his or their attorney, in the preſence of the defendant or defendants, do ſwear upon the holy Evangeliſts, upon the declaration that the contract or other deed contained in the ſaid declaration, was made or committed within the fair, and within the time of the ſaid fair where he taketh his action, and within the juriſdiction and bounds of the ſame fair. (9) And although that the plaintiff or plaintiffs by their oath do affirm the ſame, yet nevertheleſs the ſaid defendant or defendants ſhall not be concluded by the ſame, but may anſwer and plead to the action, or in abatement of the plaints, and to profer an iſſue that the ſame contract, treſpaſs, or other deed contained in ſuch declaration, whereupon the plaintiff or plaintiffs do declare, was not committed nor done within the time of the fair, and juriſdiction of the ſame, but out of the time of the fair, or at other places out of the juriſdiction of the ſame fair, according to the truth in this behalf. (10) And if it be ſo tried, or that the plaintiff or plaintiffs, or their attornies, do refuſe to take the oaths in the form aforeſaid, that then the defendant or defendants ſhall be quite diſmiſſed and diſcharged in that behalf out of the ſame court, the party plaintiff to take his remedy at common law, or other place convenient, as ſhall to him ſeem good,

ſideres, del advyce & aſſent des ditz ſeignurs eſpirituelx & temporelx & a la requeſte des communes en le dit parlement aſſembles, & per lauctorite del meſme, ad ordeigne & eſtablie, qe al primer jour del May proſchein veignaunt nulle ſeneſchall, ſouth ſeneſchall, baillif, commiſſarie, ne autre miniſtre dautiels courtes de pcepowdres, teigne plee ſur aſcune action al ſuite daſcune perſone ou perſones, ſinon ou le pleintif ou pleintifs ou ſon attourney en preſence del defendaunt ou defendauntz face ſerement ſur le ſeint Evaungelie, ſur la declaration qe le contract treſpaſſe ou autre feet conteignuz en meſme la declaration fuiſt fait ou commiſe deins la feire temps del dit feire lou celluy preigne ſa action & dedeins les boundes & juriſdiction de meſme la feire; et meſqe le dit pleintif ou pleintifs per lour ſerement afferme le meſme: nepurquaunt qe le dit defendaunt ou defendauntz ne ſoit ou ſoient concludez per ceo, mes que ceux poient reſpounder, & pleder al action, ou en abatement des pleintes, & de tender iſſue, qe meſme le contract treſpaſſe ou autre feet conteignuz en tiel declaration, ſur quoy le pleintif ou pleintifs declare ou declarent, ne fuiſt commiſe ne fait dedeins le temps de la feire & juriſdiction del dit feire, mes hors le temps de la feire, ou as autres lieux hors de la juriſdiction de meſme la feire, ſolonqe la verite en celle partie: Et ſil ſoit enſi tries, ou qe le pleintif ou pleintifs refuſe ou refuſent, ou lour attourneys, de faire les ſerements en fourme avauntditz; qe donqes le defen-

fendaunt ou defendaunts ſoit ou ſoient quietes diſmiſſes & diſcharges en celle partie hors dicell court, le partie pleintif de prendre ſon avauntage a la commune ley ou autre lieu convenient, come luy ſemble bon, ceſt ordeignaunce nient contriſteant. Et qe cheſcune ſeneſchall, ſouth-ſeneſchall, baillif, commiſſarie, ou autre miniſtre teignant, rulant, ou governaunt, aſcuns des ditz courts, qi face le contrarie du ceſt ordeignaunce, forfacera pur cheſcune default en celle partie C s. lune moite ent a noſtre ſeignur le Roy, & lautre moite ent a celluy qi en celle partie purſuera ſa action ſur ceſt ordeignaunce per action de dette en ſon propre noun. Et qe briefs de proclamation ſoient en tout bon haſte directs a cheſcune viſcont de cheſcune countee dEngleterre de faire ceſt ordeignaunce eſtre proclaymes en cheſcune feire deinz ſon countee, ſibien deinz fraunchiſe come dehors: ceſt act dendurer a le primer jour de May avauntdit tanque al primer jour de parlement qe proſcheinement enſuera. Purveu toutz foitz, qe ceſt act, ne null choſe compriſe en meſme lacte, ſoit damageous ou prejudicialle a William ore eveſqe de Durham ne ſes ſucceſſours deinz les liberte & fraunchiſe del eveſchie de Durham.

good, notwithſtanding this ordinance. (11) And that every ſteward, under-ſteward, bailiff, and commiſſary, or other miniſter, holding, ruling, or governing any of the ſaid courts, that doth the contrary of this ordinance, ſhall forfeit for every default in this behalf, an hundred ſhillings, the one half to be to our lord the King, and the other half to him that will in this behalf purſue his action upon this ordinance, by action of debt in his own name. (12) And that writs of proclamation be in all good haſte directed to every ſheriff of every county of *England*, to cauſe this ordinance to be proclaimed in every fair within his county, as well within franchiſe as without. (13) This act to endure from the ſaid firſt day of *May*, until the firſt day of the next parliament. (14) Provided always, That this act, nor any thing comprized in the ſame act, be hurtful or prejudicial to *William* now biſhop of *Durham*, or to his ſucceſſors, within the liberty and franchiſe of the biſhoprick of *Durham*.

The penalty of a ſteward proceeding in a court of pipowders, if the plaintiff hath not depoſed, that the contract, &c. was made in the time and juriſdiction of the fair.

Made perpetual by 1 R. 3. c. 6.

CAP. III.

Againſt unlawful games.

ITEM, whereas by the laws of this land no perſon ſhould uſe any unlawful games, as dice, coits, tennis, and ſuch like games, but that every perſon ſtrong and able of body ſhould uſe his bow, becauſe that the defence of this land was much by archers, contrary to which laws the games aforeſaid and many new imagined games, called cloſh, kailes, half-bowl, hand in and hand out, and queckboard be daily uſed in divers parts of this land, as well by perſons of good reputation, as of ſmall having: and ſuch evil diſpoſed perſons that doubt not to offend God in not obſerving their holy days, nor in breaking

No perſon ſhall uſe any of the games called Cloſſe, Half-bowl, Kayles, Hand in hand, or Queckboard, upon pain of two years impriſonment, and forfeiture of x. li. And

whoſoever ſhall ſuffer any perſon to play at any of the ſaid games in his houſe, or other place, ſhall be three years impriſoned, and forfeit xx. li. Rep. 33 H.8. c 9.
12 R.2.c.6.
11 H.4.c.4.

ing the laws of the lands to their own impoveriſhment, and by their ungracious procurement and encouraging, do bring other to ſuch games, till they be utterly undone and impoveriſhed of their goods, to the pernicious example of divers of the King's liege people, if ſuch unprofitable games ſhould be ſuffered long to continue, becauſe that by the mean thereof divers and many murders, robberies, and other heinous felonies be oftentimes committed and done in divers parts of this realm, to the great inquieting and trouble of many good and well-diſpoſed perſons, and the importune loſs of their goods, which plays in their ſaid offences be daily ſupported and favoured by the governors and occupiers of divers houſes, tenements, gardens, and other places, where they uſe and occupy their ſaid ungracious and incommendable games: Our ſovereign lord the King in conſideration of the premiſſes, by the advice of the lords ſpiritual and temporal, and the commons in the ſaid parliament aſſembled, and by the authority of the ſame hath ordained, that after the feaſt of *Eaſter* next coming, no perſon, governor nor occupier of any houſe, tenement, garden, or other place within this realm, ſhall willingly ſuffer any perſon to occupy or play any of the ſaid games called cloſh, kailes, half-bowl, hand in and hand out, or queckboard, or any of them, within any of their ſaid houſes, tenements, gardens, or any other place, upon pain to have the impriſonment of three years, and to forfeit and loſe for every offence, xx.li. The one half thereof our ſovereign lord the King, to be applied to the uſe of his houſe, in all ſuch places where ſuch forfeiture ſhall happen to fall, other than where any perſon ought to have the forfeiture of the goods of felons and fugitives, by any lawful grant authority of parliament, or otherwiſe. And it is ordained by the ſaid authority, That all ſuch perſons, their heirs and ſucceſſors, which ought to have any ſuch forfeitures in any ſuch places, ſhall have all ſuch half as ſhall be hereafter forfeit by any of the premiſſes: and the other half thereof to him or them that in this behalf will purſue by action of debt at the common law: In which action, like proceſs, trial, judgment, coſts, damages, and execution, ſhall be had as is uſed in other actions there purſued. And that no perſon from the ſaid feaſt of *Eaſter*, ſhall uſe any of the ſaid games called cloſh, half bowl, kailes, hand in or hand out, or queckboard, upon pain of two years impriſonment, and to forfeit for every default, ten pounds. The one half thereof to our ſovereign lord the King, to be applied to the uſe of his houſe, in all places where ſuch forfeiture ſhall happen to fall, other than where any perſon ought to have the forfeiture of the goods of felons and fugitives, by any lawful grant, authority of parliament, or otherwiſe. And it is ordained by the ſaid authority, That all ſuch perſons, their heirs and ſucceſſors, which ought to have any ſuch forfeitures in ſuch places, ſhall have all ſuch half that ſhall be hereafter forfeit by any of the premiſſes: And the other half thereof to him or them that in

in this behalf will ſue by action of debt in like manner and form to be had, tried, ruled, and ordered as is afore ſaid.

CAP. IV.

An act for making of tile.

ITEM pur ceo qe es diverſes parties du ceſt roialme graundes damages ount eſtee,& de jour en autre ſount, & per ſemblance en temps aveignir greivours accreſcer voillent, pur default de veraie ſeſonable & ſufficiant feſure whityng & anelyng de tewle appelles pleintile, auterment noſmez thaktile, roftile, ou creſtile, cornertile, & guttertile, fait & affaire deinz ceſt roialme : Noſtre ſeignur le Roy, les premiſſes conſideres, pur univerſal bien de ſon dit roialme, ad per ladvys & aſſent des ſeignurs eſpirituelx & temporelx & a la requeſte des communes en le dit parlement aſſembles, & per auctorite de meſme, ordeigne & eſtablie, qe toutz & cheſcune perſone ou perſones, qi en apres uſera loccupation de feſure daſcun tiel teule come eſt deſuis eſpecifies, le face bone ſeſonable, & able bien ſufficialment & tout ouſtrement blanches & aneles, & qe la terre de quele aſcune tiel teule ſerra fait ſoit foiez & giſtes devaunt le primer jour de Novembr' proſchein devaunt qe ceo ſerra fait, & qe meſme la terre ſoit ſteres & turnes devaunt le primer jour de Feverer adonqes proſchein enſuant les ditz foiance & giſtance, & nient overes devaunt le primer jour de Marche adonqes proſchein enſuant: Et qe la dit terre, devaunt qil ſoit miſe al feſure de teule, ſoit veraiment overez & tries de peers ; et auxi qe les veines ap-

ITEM, *Whereas in divers parts of this realm great damage hath been, and daily is, and by likelihood in time to come will much increaſe, for default of true, ſeaſonable, and ſufficient making, whiting, and anealing of tile, called plain tile, otherwiſe called thaktile, roof-tile, or creſt-tile, cornertile, and gutter-tile, made and to be made within this realm* : (2) Our lord the King (the premiſſes conſidered) for the general profit of this realm, by the advice of the lords ſpiritual and temporal, and at the requeſt of the commons, in the ſaid parliament aſſembled, and by the authority of the ſame, hath ordained and eſtabliſhed, That all and every perſon or perſons, which hereafter ſhall uſe the occupation of making of any ſuch tile as before is ſaid, ſhall make it good, ſeaſonable, able, and ſufficient, and well whited and anealed. (3) And that the earth whereof any ſuch tile ſhall be made, ſhall be digged and caſt up before the firſt day of *November* next before that they ſhall be made, and that the ſame earth be ſtirred and turned before the firſt day of *February* then next following the ſame digging and caſting up, and not wrought before the firſt day of *March* next following ; and that the ſame earth before it be put to making of tile, be truly wrought and tried from ſtones ; (4) and alſo that the veins called malm or marle, and chalk, lying commonly in the ground near

The preparation of earth for the making of tiles, and the ſeveral lengths, breadths, and thickneſs of them.

near to the land convenient to make tile, after the digging of the ſaid earth whereof any ſuch tile ſhall be made, ſhall be well lawfully and truly ſevered and caſt from the earth whereof any ſuch tile ſhall be made. (5) And that every ſuch plain tile ſo to be made, ſhall contain in length ten inches and half, and in breadth ſix inches and a quarter of an inch, and in thickneſs half an inch and half a quarter at the leaſt. (6) And that every ſuch roof-tile or creſ-tile ſo to be made, ſhall contain in length thirteen inches, and the thickneſs of half an inch and half a quarter at the leaſt, with convenient deepneſs according. (7) And that every gutter-tile and cover-tile to be made, ſhall contain in length ten inches and an half, with convenient thickneſs, breadth, and deepneſs according. (8) And if any perſon or perſons ſet to ſale to any perſon or perſons any ſuch tile above ſpecified, made or to be made contrary to the ſaid ordinance, then the ſeller thereof ſhall forfeit to the buyer of the ſame the double value of the ſame tile, and beſides that, ſhall make fine and ranſom to the King at his will. (9) And that every perſon that feeleth himſelf grieved, and will ſue in this behalf, ſhall have an action of debt againſt the offenders, wherein ſhall be made and had like proceſs, recovery and execution, as is or may be at this day in any other actions of debt purſued at the common law. (10) And that the plaintiff in every ſuch action (if it be found with him) may recover againſt the defendant in the ſame action his reaſonable coſts

The forfeiture of the offender that ſelleth defective tiles.

appelles malm ou marl & chalke, giſantz commune-ment en la terre bien pres a la terre convenient de faire teule ent, en ou apres la foiaunce de la dit terre dount aſcun tiel teule ſerra fait ou affaire, ſoit bien loialment & verament deſſeverces & giftes de la dit terre dount aſcun tiel teule ſerra fait ou affaire; et qe cheſcune tiel pleyne teule enſi affaire conteigne en longieure dys pous & dimy, & en laieure vj pous & un quarter dun pous, et en denſite di. pous & di. quarter dun pous au meyns: Et qe cheſcune tiel roftile ou creſte-teule enſi affaire conteigne en longieur xiij. pous & en denſite di. pous & un quarter au meyns, oveſqe convenient profundeneſſe accordaunt; et qe cheſcune guttertile affaire conteigne en longier x. pous & di. pous oveſqe convenient denſite, et profundeſſe accordant. Et ſi aſcune perſone ou perſones mette a vender au aſcun perſone ou perſones aſcune tiel teule come deſuis eſpecifiez encountre la dit ordeignaunce fait ou affaire; adonqs le vendour ent forface a lachatour del meſme le double value de meſme le teule, et ouſtre ceo face fyn & raunſon a Roy a ſa volunte; et qe cheſcune perſone qi ſe ſente greve, & ſuer voet en celle partie, ait action, de dette encountre loffendour en celle partie, & aiet ſemblables proceſſes recovere & execution en ceo, come eſt ou poiet eſtre a ceſt jour en aſcuns autres actions de dette purſuers a la commune ley; et qe le pleintif en cheſcune tiel action, ſil ſoit trove oveſqe luy, poiet recoverer encountre le defendaunt en meſme laction ſes reſon-

reſonables coſtes & expenſes de ſa ſuite: et qe le defendaunt en aſcun tiel action ne ſoit admiſe de gager ſa ley, ou davoir aſcun eſſoin ne protection allowe, ne aſcun avauntage per fourchier per eſſoin diſtreſſe: Et auxi qe les juſtices de peas pur le temps eſteantz deins cheſcune countie de ceſt roialme, & cheſcune de eux, aiet pleyne poair denquerer oier & terminer per lour diſcretions, ſibien per examination ou autrement, les defautes offenſes & treſpaſſes qe aviendrount a faire encountre ceſt ordeignaunce, ſibien a la ſuite du Roy come a la ſuite de partie qi en apres ſe ſentera greves en celle. Et ſi il ſoit trove, ou poiet apperer as les ditz juſtices de peas, ou aſcun de eux, per examination ou autrement per lour diſcretion, qe aſcun perſone ou perſones ad ou ount offendu ou offenduz contrarie a ceſt ordeignaunce; qe lors meſmes les juſtices, devaunt queux il ſerra trove ou appiergera, aſſeſſent et met nulle fine meinz ſur loffendour en cell partie qe pur cheſcune mille de plentile teule miſe a vende contrarie a ceſt ordeignaunce, v. s. & cheſcune cent rooftile vj. s. viij. d. Et pur cheſcune cent cornertile ou guttertile ij. s. venduz contrarie a ceſt ordignaunce: Et ſi meins ſoit enſy mis a vende ou vendus contrarie a ceſt ordinaunce, meindre fine ſoit pur ceo fait, ſolonqe la rate dicelle, per la diſcretion des ditz juſtices ou aſcun deux. Et qe les juſtices aient pleyn poair de faire venir devaunt eux ou aſcun de eux as aſcuns temps & lieu requiſitez tielx & tantz perſones come per lour diſcretion

costs and expences of his ſuit. (11) And that any defendant in any ſuch action ſhall not be admitted to wage his law, (12) or to have any eſſoin or protection allowed, nor any advantage by fourching of eſſoin or diſtreſs. (13) And alſo that the juſtices of peace for the time being, within any county of this realm, and every of them, ſhall have power to inquire, hear, and determine by their diſcretions, as well by examination or otherwiſe, the defaults, offences, and treſpaſſes which ſhall happen to be committed contrary to this ordinance, as well at the King's ſuit as at the party's which ſhall feel himſelf grieved in that behalf. (14) And if it be found, or may appear to the juſtices of peace, or any of them, by examination or otherwiſe, by their diſcretion, that any perſon or perſons hath offended contrary to this ordinance, that then the ſame juſtices, before whom it ſhall be found or appear, ſhall aſſeſs upon the offender in this behalf no leſs fine than for every M. of plain tile ſet to ſale contrary to this ordinance, v. s. and for every C. roof-tile, vi. s. viij. d. and for every C. corner-tile or gutter-tile, ii. s. ſold contrary to this ordinance; and if leſs be ſold, that leſs fine be made after the rate of the ſame by the diſcretion of the ſaid juſtices, or any of them. (15) And that the ſame juſtices ſhall have full power to call before them, or any of them, at any time and place requiſite, ſuch and ſo many perſons as by their diſcretion have or ſhall have beſt experience or knowledge in the occupation

Juſtices of the peace may inquire of, hear, and determine theſe offences, and appoint ſearchers.

of making of tile, to ſearch and examine the digging, caſting, turning, parting, making, whiting, and anealing aforeſaid; (16) and that the ſame perſon or perſons, which ſo ſhall be aſſigned ſearchers, ſhall have full power to make ſearch; (17) and that no perſon put no ſuch tile to ſale before that it be ſearched by the ſaid ſearchers, upon pain of forfeiture of the ſame tile. (18) And if the ſame ſearchers, or any of them, do find that any perſon or perſons, exerciſing the occupation of tile-making, doth offend contrary to this ordinance, that then the ſame ſearchers ſhall preſent ſuch defaults before the juſtices of peace at their next ſeſſions; (19) and that every ſuch preſentment be as ſtrong and effectual in the law, as the preſentment of twelve men. (20) And that ſuch ſearchers ſo to be ordained, aſſigned, and deputed, ſhall have of every ſuch tile-maker, for his labour of the ſaid ſearch, for every M. plain tile ſearched, i. d. for every C. roof-tile, ob. and for every C. corner-tile and gutter-tile, a q. (21) And that the ſame ſearchers ſhall do and execute their effectual induſtry and diligence in this behalf according to this ordinance, upon pain of forfeiture to our lord the King, for every default in this behalf x. s. (22) And that the juſtices of peace ſhall have power to examine, inquire, and determine the faults of ſuch ſearchers in the premiſſes, in like form as above is ordained for the defaults of tile-makers. This ordinance to begin to take effect at the feaſt of St. *Mi-*

tion ount & averount greindre experience ou cogniſaunce en loccupation de feſure de teule, de ſercher & examiner la foiance, giſtance, turnance, departure, feſour, blancheour, & anelynge avauntditz. Et qe meſme le perſone ou perſones qi ou quels enſy ſerra ou ſerrount aſſigne ou aſſignez ſercheours, aient pleyn poair de fair tiel ſerche; et qe null perſone met null tiel teule a vende, devaunt qil ſoit ſerche per les ditz ſercheours, ſur peyne de forfaiture de meſme le teule. Et ſi les ditz ſercheours, ou aſcun de eux, trove ou trovent, qe aſcune perſone ou perſones, exerceant ou exerceantz loccupation del faiſure de teule, offende ou offendent en ycelle, contrarie a ceſt ordenaunce; qe lors meſmes les ſercheours preſentent tielx defautez devaunt les juſtices de peas a lour proſchein ſeſſions, et qe cheſcune tiel preſentement ſoit ſi fort & effectuel en la ley come preſentement de xij. hommes, & qe tielx ſercheours enſi eſtre ordeignez aſſignez & deputeez aient de cheſcune tiel faiſeur de teule pur lour labour de le dit ſerche, pur cheſcune mille pleintile ſerchez, i. d. de cheſcune cent rooftile, di. denier, & cheſcune cent cornertile & guttertile le ferling. Et qe meſmes les ſerchreours facent & executent lour effectull devoir & diligence en celle partie, accordant a ceſt ordeignaunce, ſur payne de forfaiture a noſtre ſeignur le Roy pur cheſcune defaute en cell partie x. s. Et qe les juſtices de peas aient poair dexaminer enquerer & determiner les defautes des

tielx

The ſearchers authority, and fee for their pains.

Juſtices of the peace ſhall inquire of the defaults of ſearchers.

An act was made to prevent abuſes in making bricks 12 Geo. 1. c. 35. but it was

tielx ſercheours en lez premiſſes, en ſemblable fourme come deſuis eſt ordeignez pur les defaultez de les faiſours de teule. Ceſt ordeignaunce a commencer de prendre effect a la feſte de ſeint Michell proſchein viegnaunt & nien devaunt.

Michael next coming, and not before.

repealed by 2 Geo. 2. c. 15.

CAP. V.

An alteration of part of the ſtatute of 4 Ed. 4. c. 1. *for ſealing of cloths.*

Ex edit. Pult.

ITEM, whereas by an act made in the parliament of our ſaid lord the King, holden at *Weſtminſter* in the fourth year of his reign, it was ordained, eſtabliſhed and enacted amongſt other things, That all woolen cloths, half cloths, ſtreits and kerſeys, of a certain length and breadth ſpecified in the ſame act, (2) and being of all perfectneſs of making, alſo compriſed in the ſame act, ſhould be, from the feaſt called St. *Peter ad vincula*, which was in the year of our Lord God 1465, ſealed with a double print in lead, to be deviſed and ordained by the treaſurer of *England* for the time being, teſtifying the true length and breadth, and lawful making. (3) Alſo by the ſame act it was ordained, amongſt other things that the treaſurer of *England* for the time being, ſhould have power and authority to make ſuch and as many keepers of the ſame ſeals, as he ſhall think neceſſary; ſo that no ſtrangers born ſhould be made any of the ſame keepers: (4) And that every of the ſaid keepers ſo to be made, ſhall yearly accompt of the revenues of their ſaid offices in the King's exchequer before the treaſurer of *England* and the barons there for the time being, ſhewing in the ſame accounts the number of all the cloths, half-cloths, ſtreits and kerſeys ſealed by them, with the names of the owners thereof; (5) Every of the ſaid keepers to be rewarded yearly at his ſaid account for his labour and diligence had in this behalf, at the receipt of the ſaid exchequer, by the diſcretion of the ſaid treaſurer and barons, without payment of any thing in the ſaid exchequer for the making of his ſaid account, as in the ſaid act thereof made is more largely contained: (6) The King certainly perceiving, that ſithence the making of the ſame act, he hath had yearly greater loſs by the approvement of the ſubſidy and aulnage of cloths, than he had at any time before the ſaid act of approvement made; (7) for the ſame and for divers other great cauſes moving him, by the aſſent of the lords ſpiritual and temporal, and the commons in this preſent parliament aſſembled, and by authority of the ſame parliament hath ordained, eſtabliſhed, and enacted, That from the feaſt of *Eaſter* next coming, all the woolen cloths, half cloths, ſtreits, and kerſeys, being of good and perfect making, of length and breadth according to the form of the ſaid act, made in the ſaid fourth year, ſhall be ſealed with wax at both ends, taking no more for the ſame both ſeals, than before was taken for the ſealing of an whole cloth, half-cloth, ſtreit, or kerſey: (8) Except only, that in the city of *London*,

Woolen cloths, half cloths, &c. ſhall be ſealed with wax at both ends, notwithſtanding the ſtat. of 4 Ed. 4. c. 1. Repealed, 5 & 6 Ed. 6. c. 6.

and in the town of *Briſtol*, all the cloths that ought to be ſealed, ſhall be ſealed with lead, as hath been there accuſtomed. (9) Moreover, it is ordained, enacted, and eſtabliſhed by the authority aforeſaid, That the ſaid treaſurer of *England* for the time being, ſhall have power and authority to let to ferm, the ſubſidy and aulnage of cloths which ought to be ſealed, unto perſons willing to have the ſame to ferm by ſufficient ſurety in the form as was uſed and done before the ſaid ſtatute made in the ſaid fourth year; (10) the fermors to have the one half of the forfeiture of all the cloths and pieces of cloths to be ſet to ſale, not ſealed with the ſaid ſeals, to their own uſe, paying therefore and for the ſaid ſubſidy and aulnage to our lord the King at his exchequer, ſuch yearly ſums of money as ſhall be agreed betwixt the treaſurer of *England* and them, and to be accomptants to the King of the other half of the ſaid forfeiture at the ſaid exchequer, the ſaid ſtatute made in the ſaid fourth year notwithſtanding.

The treaſurer of England may let the aulnage to ferm upon good ſurety.
17 R. 2. c. 5.
1 H. 4. c. 13.
4 H. 4. c. 24
31 H. 6. c. 5.
11 W. 3. c. 20.

CAP. VI.

How long the old ſheriff may execute his office, if he have not before his writ of diſcharge.

ITEM, whereas by a ſtatute in the laſt parliament holden at *Weſtminſter* it was ordained, That the old ſheriff of every county might execute and return every writ, precept or warrant, in any of the King's courts within the term called *Michael* term, after the vi day of *November*, and before any writ of diſcharge to him delivered of his occupying of ſheriff, without hurt, loſs or penalty, by the ſame ſtatute remembered, as in the ſame doth more largely appear: (2) And becauſe that the words of the authority given by the ſaid act to the ſaid old ſheriff, be very eſpecial, and not general enough for the common wealth, purpoſed or intended by the ſame act: (3) It is therefore ordained by authority of this parliament, That every old ſheriff of every county, remembered in the ſaid laſt act, from the ſixth day of *November* next to come, ſhall have full authority and power, as well lawfully to execute and return every writ, precept, or warrant, from every of the ſaid courts of the King, delivered to him, as to do and execute every other thing, which to the office of ſheriff lawfully pertaineth, at all times during the terms of St. *Michael*, and of St. *Hillary*, unleſs before the ſame time he be lawfully diſcharged of his occupation of ſheriff, without ſuſtaining any damage, forfeiture, or pain in reſpect thereof: Any act, ordinance, or proviſion before made to the contrary in any wiſe notwithſtanding.

12 Ed. 4. c. 1.
23 H. 6. c. 8.

Every old ſheriff may execute his office during Michaelmas and Hillary term, if he hath not before his writ of diſcharge.
Dy. 355.

CAP. VII.

A repeal of the parliament holden the ix *year of King* Edward IV. *and the* xlix. *of King* Henry VI.

ITEM, whereas in the moſt dolorous abſence of our ſovereign lord the King out of this his realm, being in the parts of *Holland*, and before his victorious regreſs into the ſame realm, in a pre-

Ex edit. Raſt. A repeal of a parliament holden anno

a pretenſed parliament unlawfully and by uſurped power ſummoned by the rebel and enemy to our ſovereign lord the King, *Henry* the ſixth, late in deed and not of right king of *England*, holden in the palace of *Weſtminſter* the xxvj. day of *November*, the ninth year of our ſovereign lord the King that now is, under the coloured title of the ſaid *Henry*, the xlix. year of the inchoation of his pretenſed reign, and the firſt year of the readoption of his uſurped power and eſtate, divers and many matters were treated, communed, and wrought, to the deſtruction and diſheriſon of our ſovereign lord the King, and of his blood royal, by the labour and exhortation of perſons not fearing God, nor willing to be under the rule of any earthly prince, but inclined of ſenſual appetite to have the whole governance and rule of this realm under their power and domination, which communications, treaties, and workings do remain in writing, and ſome exemplified, whereby many inconveniencies may enſue to our ſaid ſovereign lord the King, and his blood royal, which God defend, and all noblemen attending at this time about the King, and all his other liege people and ſubjects, unleſs due remedy be provided in this behalf: Our ſaid ſovereign lord the King, by the aſſent of the lords ſpiritual and temporal, and at the requeſt of the commons in the ſaid parliament aſſembled, and by authority of the ſame, for the ſurety of his noble perſon, his noble iſſue, and the inheritable ſucceſſion of the ſame, and for the ſurety of all the lords, noblemen, and other his ſervants and ſubjects, hath ordained and ſtabliſhed, That the ſaid pretenſed parliament, within all the continuances and circumſtances depending upon the ſame, be void and of none effect. And that all acts, ſtatutes, ordinances, treats, communications, conventions, and workings in the ſaid pretenſed parliament, treated, communed, accorded, wrought, had, or by the authority of the ſame parliament enacted and ordained, and all exemplifications made upon the ſame, or any part of them, and every of them, ſhall be reverſed, cancelled, void, undone, revoked, repealed, and of no force nor effect.

9 Edw. 4. and anno 49 H. 6. and of all the acts therein made, and of their exemplifications.

Statutes made at *Weſtminſter*, *Anno* 22 Edw. IV. and *Anno Dom.* 1482.

NOSTRE ſeignur le Roy *Edward* le quart a ſon parlement tenuz a Weſtm' le vintiſme jour de Januar' lan de ſon reigne vintiſme ſecond, al honour de Dieu & pur la bien de ſon poeple ceſtuy ſon roialme, del advys & aſſent dez ſei-

OUR *lord the King*, Edward *the Fourth*, *at his parliament holden at* Weſtminſter *the twentieth day of* January, *in the two and twentieth year of his reign, to the honour of God, and for the wealth of his people of this his realm, by the advice and aſſent*

aſſent of the lords ſpiritual and temporal, and at the requeſt of his commons, in the ſaid parliament aſſembled, and by the authority of the ſame parliament, hath ordained and eſtabliſhed certain ſtatutes and ordinances in the manner and form following.

ſeignurs eſpirituelx & temporelx & a la requeſte de ſes communes en le dit parlement aſſemblez, & per auctorite de meſme le parliament ad ordeigne & eſtablie certeins eſtatuitz & ordeignauncez en la fourme qenſuiſt.

CAP. I.

An act concerning apparel.

Ex edit. Raſt. Apparel.

A repeal of all former ſtatutes made touching the exceſs of apparel. What kind of apparel temporal men of every degree and eſtate are allowed, and what prohibited to wear. None under the eſtate of a lord (except certain perſons particularly named) ſhall wear any gown or mantle, unleſs it be of ſuch length, that (he being upright) it ſhall cover his privy members and buttocks. The forfeitures of the offenders, and who ſhall have them. Rep. 1. H. 8. c. 14. & 1 Jac. 1. c. 25.

FIRST, becauſe that our ſovereign lord the King hath conceived by a petition made to him by his commons, that divers ſtatutes and ordinances touching the reſtraint of exceſſive apparel of the people of his realm, were ordained and made, and that for the non due execution of the ſame ſtatutes, his ſaid realm was fallen into great miſery and poverty, and like to fall into more greater, unleſs the better remedy be provided: whereupon our ſaid ſovereign lord the King, by the advice, aſſent and authority aforeſaid, hath ordained and ſtabliſhed, That no manner perſon, of what eſtate, degree or condition that he be, ſhall wear any cloths of gold or ſilk of purple colour, but only the King, the Queen, the King's mother, the King's children, his brother and ſiſters, upon pain of forfeiture for every default, xx.li. And that none under the eſtate of a duke, ſhall wear any cloth of gold of tiſſue, upon pain of forfeiture for every default xx. marks. And that none under the eſtate of a lord, ſhall wear plain cloth of gold, upon pain to forfeit for every default x. marks. And that none under the degree of a knight, ſhall wear any velvet in their doublets nor gowns. Nor none under the ſame degree wear any damaſk or ſatten in their gowns, but only eſquires for the King's body, upon pain to forfeit for every default xl. s. And that no yeoman of the crown, nor none other ſhall under the degree of an eſquire or gentleman, wear in their doublets damaſk or ſatten, nor gowns of chamlet, upon pain to forfeit for every default forty ſhillings. And that none under the eſtate of a lord, wear any manner of woolen cloth made out of this realm of *England*, *Ireland*, *Wales* and *Calais*, nor wear any furrs of ſables, upon pain to forfeit for every default ten pound. And alſo it is ordained and ſtabliſhed by the ſaid authority, That no ſervant of huſbandry nor common labourer, nor ſervant to any artificer out of city or borough, ſhall wear in their cloathing any cloth, whereof the broad yard ſhall paſs the price of two ſhillings. Nor that any of the ſaid ſervants or labourers, ſhall ſuffer their wives to wear any cloathing of higher price than is before limited to their huſbands. Nor they ſhall not ſuffer their wives to wear any reile called a kerchief, whoſe price exceedeth twenty pence. Nor none of the ſaid ſervants or labourers, ſhall wear any hoſen, whereof the pair ſhall paſs eighteen pence, upon pain to forfeit for every default three ſhillings four pence. Moreover, it is ordained, That the juſtices

juſtices of peace in every county, mayors, ſheriffs, bailiffs, maſters, and other chief officers of cities, boroughs, towns of the five ports, and other corporate towns with this realm, ſhall have power and authority to inquire, hear and determine all the ſaid defaults and forfeitures and every of them, to be made and had within their ſeveral juriſdictions, as well by enquiry as by due examination, and the matters and cauſes concerning the ſaid offences and forfeitures to determine by like proceſs and judgment, and in like manner and form before attainder in this behalf, as is before the juſtices of peace commonly uſed of treſpaſs done with force and arms againſt the King's peace, and after the attainder like execution. And if any matter touching any of the offences be removed of any of the ſaid juſtices of peace, mayor, or any other officers before named, to be had before the King in his bench, that then the juſtices to the pleas before them to be holden, aſſigned, ſhall have power to award like proceſs and like execution in this behalf, as before is limited. And it is ordained by the ſaid authority, That all the ſaid pains and forfeitures, except ſuch pains and forfeitures in and for the premiſſes, which ſhall happen to be and grow within the county palatine of *Cheſter*, *Examſhire*, and the biſhoprick of *Durham*, ſhall be to the King, to be employed to the expences of his honourable houſe. And that ſuch pains and forfeitures in and for the premiſſes within the ſaid county palatine of *Cheſter*, ſhall be to my lord the prince. And ſuch pains and forfeitures in and for the premiſſes within *Examſhire*, ſhall be to the archbiſhop of *York* and to his ſucceſſors. And ſuch pains and forfeitures in and for the premiſſes within the ſaid biſhoprick of *Durham*, ſhall be to the biſhop of *Durham* and his ſucceſſors. Provided always, That this act extend not, nor be prejudicial to or for any woman, excepted the wives and ſervants of labourers. Alſo it is ordained by the authority aforeſaid, That all ordinances and ſtatutes before this time made of array and apparel, ſhall be by the authority of this preſent parliament void and of none effect nor force. And that this act begin and take effect after the feaſt of the *Epiphany* next coming, and not before. And it is ordained and enacted by the authority aforeſaid, That no manner perſon, under the eſtate of a lord, ſhall wear from the ſaid feaſt any gown or mantle, unleſs it be of ſuch length, that he being upright, it ſhall cover his privy members and buttocks, upon pain to forfeit to our ſovereign lord the King at every default, twenty ſhillings, And like examination, proceſs and judgment ſhall be therein had, as in the premiſſes is ordained. Provided always, That this preſent act for apparel, ſhall not be prejudicial to the liberty in wearing of cloth and furr, purple and cloth of gold only excepted, of Sir *Thomas Montgomery*, Sir *Thomas Burgh*, Sir *Thomas Vaughan*, Sir *John Don*, Sir *William Parr*, Sir *Thomas Deſeit* Legier, Sir *Thomas Bourchier*, Sir *Thomas Grey*, nor of maſter *Oliver* the King's ſecretary, nor any of them. And provided alſo, That the ſame act be not prejudicial to maſter *John Guntborp*, dean of the King's

chapel. Nor to Sir *John Elrington*, treaſurer of the King's houſe, nor to any of them, as before.

CAP. II.

An act for packing of barrelled fiſh.

The contents of veſſels of ſalmon, herrings, and eels, and how fiſh ſhall be packed. 13 Ed. 1. ſtat. 1. c. 47.

ITEM, *Whereas divers deceits have been uſed and done, as well in the meaſures of veſſels called butts, barrels and half barrels ordained for ſalmon, and barrels, half barrels, and firkins ordained for herring, eels, and other barrelled fiſh, as in the packing in the ſame veſſels of every of the ſaid fiſhes before named, to the great damage of the King, the lords ſpiritual and temporal, and other of the King's faithful ſubjects:* (2) for reformation whereof our ſaid ſovereign lord the King, by the advice, aſſent, and authority aforeſaid, hath ordained and enacted, That no merchant ſtranger not denizen, after the feaſt of Saint *Michael* next coming, ſhall ſell nor ſet to ſale any ſalmon by butt, barrel, half barrel, or any other veſſel, before it be ſeen, except the ſame butt do hold and contain fourſcore and four gallons, the barrel two and forty gallons, the half barrel one and twenty gallons, well and truly packed, upon pain of forfeiture for every butt, barrel, and half barrel ſo failing their ſaid meaſure, ſix ſhillings and eight pence: (3) alſo that no ſuch merchant being under the King's obeiſance, after the ſaid feaſt of St. *Michael*, ſhall ſell or put to ſale any manner ſalmon by butt or other veſſel, except it be well and faithfully packed, that is to ſay, the great ſalmon by it ſelf, without mingling with them any grills or broken bellied ſalmon. And that all ſmall

Packing of ſalmons, and the content of the veſſel thereof. 11 H. 7. c. 23.

ITEM qe come diverſes deſceits ount eſte uſes & faitz, ſibien en les meſures des veſſeaulx appelles buttes, barelles, & dimy barelles, ordeignez pur ſalmon, & barelles dymy barelles & firdekyns ordeignez pur harang, anguillez, peſſon barelles, come en pakkure es les meſmes veſſeaux de cheſcune de les peſſons avaunt noſmes, a graund damage du Roy, les ſeignurs eſpirituelx & temporelx, & autres foialx ſubgiets du Roy: pur reformation de quele noſtre dit ſoveraigne ſeignur le Roy, del advys aſſent & auctorite deſuiſditz, ad ordeignez et enactez, qe nulle marchaunt, eſtraunge ne denizein, apres la feſte de ſeint Michell proſchein veignaunt vende ne mette a vend aſcun ſalmon, per butte, barrelle, di. barelle, ou aſcune autre veſſeau, devaunt qil ſoit vieu; ſinon meſme le butte teigne & conteigne quatre vint & quatre galons, le barell quaraunt deux galons, et le di. barelle xxj. galons, bien & foialment pakkez; ſur payne de forfaiture pur cheſcune butte barelle & di. barelle enſi faillant lour dit meſure vj. s. viij. d. Auxi qe nulle tiel marchaunt, eſteaunt deſouth lobeiſaunce du Roy, apres la dit feſte de ſeint Michell vende ou mette a vend aſcun manere ſalmon per butte ou autre veſſeau, ſinon y ſoit bien & foialment pakkez, ſcilicet le graund ſalmon per ſoy meſme ſaunz mixture ovcſqe daſcuns grilles, ou ſalmons rumpes

rumpes les ventrez. Et qe toutz petitz peſſons appellez grilles ſoient pakkez per ſoy meſmes ſoulement ſaunz aſcun mixture ſur payne de forfaiture & perdition de vj. s. viij. d. pur cheſcune butte, barelle, di. barelle, contrarie a ceſt acte mixtes, rakkes, & miſes au vend.

Auxi qe nulle marchaunt nautre perſone mette aſcun harank au vend per barelle, di. barelle, ou firkyn, ſinon meſme le barelle conteigne xxxij. galons, le di. barelle, & firkyn, ſolonqe meſme la rate, & qe meſme le harank ſoient bien foialment & juſtement couche & pakke, & ſoit del priſe dune temps & ſalſure, & qe meſme le harank ſoit ſi bon & ſibien pakkes en le midye,& en cheſcune part du dit barelle & autre veſſeau, come il ſerra en les fines meſmes les barelles & veſſeaulx; ſur payn de forfaiture & perdition de iij. s. iiij. d. pur cheſcune barelle dimi barelle & firkyn enſi faillant lour dit meſure, & auxi ſur payn de forfaiture & perdition de iij s. iiij. d. pur cheſcune barelle, di. barelle, & firkyn de harank contrarie a ceſt acte ſortez couchez ou pakkez. Auxi qe nulle tiel marchaunt ne palingman vende ou mette au vend aſcuns anguilles per barelle, di. barelle, ou firkyn, ſinon le barelle conteigne xlij. galons, le di. barelle & firkyn ſolonqe meſme la rate: ne qe aſcune tiel marchaunt ne palingman meſceient aſcun galbelton, moreys, ou decories anguilles, oveſque bones anguilles; mes qe meſmes les bones anguilles ſoient bien & juſtement pakkes, & venduz per ſoy meſmes; ne meſcent oveſque les ditz anguillez, ou mette au vende,

ſmall fiſh called Grils, ſhall be packed by themſelves only, without any mingling, upon pain of forfeiture and loſs of ſix ſhillings and eight pence for every butt, barrel, and half barrel mingled, packed, and ſet to ſale contrary to this act. Packing of grills.

II. Alſo that no merchants nor other perſon ſet any herring to ſale by barrel, half barrel, or firking, except the ſame barrel contain two and thirty gallons, the half barrel and firkin after the ſame rate; (2) and that the ſame herring be well, truly, and juſtly couched and packed, and that it be of one times taking and ſalting; (3) and that the ſame herring be as good and as well packed in the midſt, and in every part of the ſame barrel, or other veſſel, as it ſhall be in the ends of the ſame barrels, and other veſſels, upon pain to forfeit three ſhillings and four pence for every barrel, half barrel, and firkin ſo failing their ſaid meaſure, (4) and alſo upon pain of forfeiture and loſs of three ſhillings and four pence for every barrel, half barrel, and firking of herring ſorted, laid or packed contrary to this act. (5) Alſo that no ſuch merchant nor palingman ſell or ſet to ſale any eels by barrel, half barrel, or firkin, except the ſame barrel contain two and forty gallons, the half barrel and firkin after the ſame rate; (6) nor that any merchant nor palingman do mingle any gallebetton, ſtarved, or pulled eels with the good eels, but that the good eels be well and juſtly packed and ſold by themſelves; nor that they mingle with the good eels, or put to ſale any red eels, upon pain of forfeiture and loſs of

The content of a barrel of herring, &c. and they ſhall be well packed.

The content of a barrel of eels, and they ſhall not be mingled.

ten

ten ſhillings for every barrel, half barrel, and firkin ſo failing their meaſure; and alſo upon pain of forfeiture and loſs of ten ſhillings for every barrel, half barrel, and firkin ſo mixed, packed, and ſet to ſale, as afore is ſaid, contrary to this act.

How fiſh ſhall be packed.

(7) Alſo that no ſuch merchant, after the ſaid feaſt, ſell, or ſet to ſale any barrelled fiſh, except the ſame fiſh be well and faithfully packed, that is to ſay, any countable fiſh, commonly called Talefiſh, by it ſelf, and the ſame fiſh called Grills by themſelves, without any mixture of the ſaid fiſhes with the great fiſh, and without mixture or packing of thokes, or fiſh with broken bellies with the ſaid tale-fiſh, or ſmall fiſh; (8) and that the ſaid tale-fiſh, or ſmall fiſh, be not laid double in the packing; (9) and that every tale-fiſh contain in length, from the bone in the fin, to the third joint in the neck, ſix and twenty inches at the leaſt, and that the napes of all ſuch barrelled fiſh ſhall be no longer than the little bone that reſteth upon the great fin; (10) and that the bone of every ſuch ſalt fiſh ſhall be taken away to the navel of the fiſh. And that every ſuch fiſh be ſplatted, or opened down, to an handful of the tail, upon pain of forfeiting and loſing of three ſhillings and four pence for every barrel of fiſh which hereafter ſhall be found packed, ſorted, mixt, naped, laid double, or not boned, nor ſplatted, nor open, according to this act.

Chief officers of cities and boroughs, &c. ſhall appoint ſearchers to

III. Alſo in eſchewing the common loſſes and deceits aforeſaid, our ſaid lord the King hath ordained and enacted, by the authority aforeſaid, That all

vende, aſcuns anguillez rougez; ſur payn de forfaiture & perdition de x. s. pur cheſcune barelle dimi barelle & firkyn enſi faillant lour dit meſure; et auxi ſur peyne & perdition de x. s. pur cheſcune barelle, di. barelle, & firkyn, enſi come eſt avauntdit mixtez, & contrarie a ceſt acte pakkez ou miſe au vende. Auxi qe nulle tiel marchaunt apres la dit feſte vende ou mette au vende aſcun peſſon barellez, ſinon meſme le peſſon ſoit bon & foialment pakkez, ſcilicet laccomptablez peſſon, vulgarement appellez talefiſh, per ſoy meſme, & les petitz peſſons appellez girles per ſoy meſmes, ſaunz aſcun mixture del es ditz peſſons oveſqe le groſſe peſſon, & ſaunz mixture & pakkure des thokez & peſſons rompez le ventre oveſqe le dit comptable peſſon, ou petit peſſon: Et qe ne laccomptable peſſon ne petit peſſon ſoit couche double en pakkure. Et qe cheſcune peſſon comptable conteigne en longieure del oſſe al fyne jeſquez al tierce jointe del cowe xxvj. poucez au meyns. Et qe les napes de tout tiel peſſon barellez ne ſoient pluis longez, qe au petit oſſe qe ſet ſur le groſſe fynne. Et qe loſſe de cheſcune tiel peſſon ſalee ſoit priſe hors, jeſquez le lumble de meſme le peſſon. Et qe cheſcune tiel peſſon ſoit ſplatte ou overte baſe deſqe un maniple del cowe, ſur payn de forfaiture & perdition de iij. s. iiij. d. pur cheſcune barelle de peſſon, quele enapres ſerra trovez pakkez, ſortez, mixtez, napez, couchez double, ou nient deoſſes, ne ſplattes, ou overtez, accordaunt a ceſt act.

Et auxi en eſchuer de les communes

communes damages & deſceitez avauntditz, noſtre dit ſeignur le Roy ad ordeigne & enacte, per le ſuiſdit auctorite, qe toutz mairs baillifs & governours des citees villes burghs marchez & toutz autres lieux de ceſt ſon roialme pur le temps eſteantz, lou ils ſount mairs baillifs ou governours, aient poiar & auctorite pur noſmer & eſlier diſcrete & experte perſone ou perſones, duement de ſerchier & gaugier toutz tielx veſſeaulx come deſuis ſount reherſez, que ceux ſoient ſoialment pakkez, & gardent lour ſoialle meſure & aſſiſe, accordantz as les ordeignauncez ſuiſditz: lune moite des toutz les fyns forfaitures & peyns, & cheſcune de eux, ſoit a noſtre ſeignur le Roy, & lautre moite ſoit a celluy ou ceux de ſes ſubgietz, qi ou queux ſeiſerount ou purſuerount, ſeiſera ou purſuera, pur le meſme, per action de dette per briefe a la commune ley, per bill ou plaint, ſolonqe la cuſtume de la citee ou ville, lou aviendra en apres aſcuns tielx fines forfaitures ou peynes de chier & eſtre: et qe le defendaunt en aſcun tiel action ne ſoit admiſe de gager ou faire ſa ley, ne qe aſcun protection ou eſſoine de ſervice le Roy pur aſcun tiel defendant ſoit allowez. Purveu foitz, qe ceſt act ne ſoit prejudicial al aſcune perſone ou perſones eiant ou eiantz forfaitures des biens des felounes fugitivez & dampnez.

Et ouſtre ceo eſt ordeignez, & enactez, per lauctorite avauntdit, qe cheſcune tiel perſone ou perſones aient & enjoient ſemblablez forfaitures de & en cheſcune de les premiſſez dedeinz lours fraunchiſez, ſi come le Roy ore ad en autres lieux dehors.

all mayors, bailiffs, and governors of cities, boroughs, market-towns, and all other places of this his realm, for the time being, where there be mayors, bailiffs, or governors, ſhall have power and authority to name and chooſe diſcreet and expert perſon or perſons, daily to ſearch and gauge all ſuch veſſels as above be rehearſed, that they be faithfully packed, and keep their lawful meaſure and aſſiſe according to the ordinances aforeſaid; (2) the one half of all the ſaid fines, forfeitures, and penalties, and every of them, to be to our lord the King, and the other half to him or them of his ſubjects that ſhall ſeiſe or purſue for the ſame by action of debt, by writ at the common law, by bill or plaint, according to the cuſtom of the city or town where any ſuch fines, forfeitures, and penalties ſhall hereafter happen to be or fall; (3) and that the defendant in any ſuch action be not admitted to wage nor do his law, (4) nor that any protection, or eſſoin of the King's ſervice for any ſuch defendants be allowed. (5) Provided always, That this act be not prejudicial to any perſon or perſons having the forfeiture of the goods of felons, fugitives, and condemned perſons. ſearch and gauge veſſels of fiſh.

IV. Moreover, it is ordained and enacted by the authority aforeſaid, That every ſuch perſon and perſons ſhall have and enjoy like forfeitures of and in every of the premiſſes within their franchiſes, as the King now hath in other places without.

CAP.

CAP. III.

Concerning ſilk workers.

Ex edit. Raſt. No ribbands, laces, corſes, girdles, calli-ſilk, or colleinſilk twined, ſhall be brought into England to be ſold, upon pain of forfeiture of the ſame, or the value thereof.
33 H. 6. c. 5.
3 Ed. 4. c. 3.
19 H. 7. c. 21.
1 R. 3. c. 10.

ITEM, whereas by a piteous complaint made in the ſame parliament by men and women of the myſtery and workmanſhip of ſilk of the city of *London*, and other cities, boroughs and towns of this realm, it was ſhewed, how that in the time of the reign of our ſovereign lord the King that now is, a reſtraint was made that certain things of ſilk work ready wrought ſhould not be brought into this realm, after which reſtraint expired, ſo great multitude of ſilks ready wrought as corſes, ribbands, laces, call ſilk, and colein ſilk twined have been brought into this ſaid realm by merchants ſtrangers and other that all the workers of the ſaid myſtery of ſilk working, as well men as women in the ſaid realm have been grievouſly impoveriſhed for default of occupation. Our ſaid ſovereign lord the King in conſideration of the premiſſes, hath by the advice, aſſent, and authority aforeſaid, ordained and eſtabliſhed, That no merchant ſtranger nor other perſon, after the feaſt of *Eaſter* next coming, ſhall bring into this realm of *England* to be ſold any corſes, girdles, ribbands, laces, Call ſilk or Colein ſilk twined or wrought, upon pain of forfeiture of the ſame, or of the value thereof, in whoſe hands they ſhall be found. The one half of the ſame forfeiture to be to our ſovereign lord the King, and the other half to him or them of the King's ſubjects which ſhall ſeiſe the ſame, or purſue for the ſame by action of debt by writ at the common law, or by bill or plaint after the cuſtom of the city or town where ſuch forfeiture ſhall hereafter happen to fall or be. And that the defendant in any ſuch action be not admitted to wage nor do his law, nor no protection nor eſſoin in the King's ſervice to be allowed for any ſuch defendant. This act to indure for iiii. years next following the ſaid feaſt of *Eaſter*.

CAP. IV.

An act for the price of bows.

Whoſoever ſhall ſell a long bow of yew above the price of three ſhillings and four pence, ſhall forfeit twenty ſhillings.
Rep. 8. El. c. 10.
3 H. 7. c. 13.
33 H. 8. c. 9.

ITEM, whereas in the time of the noble progenitors of our ſovereign lord the King that now is, and alſo in the time of the victorious reign of our ſaid ſovereign lord the King that now is, his ſubjects within every part of this realm have virtuouſly occupied and uſed ſhooting with their bows, whereby and under the protection of Almighty God, victorious acts have been done in defence of this realm: now ſo it is, that the bowyers in every part of this realm do ſell their bows at ſuch a great and exceſſive price, that the King's ſubjects diſpoſed to ſhoot, be not of power to buy to them bows, whereby ſhooting is greatly diminiſhed and left, and unlawful games be uſed, contrary to ſtatutes and ordinances thereupon made: our ſaid ſovereign lord the King, conſidering the premiſſes, by the advice, aſſent, and authority aforeſaid, hath ordained, eſtabliſhed and enacted, That from the feaſt of *Eaſter* next coming no bowyer

nor

nor other perſon uſing to ſell or put to ſale, or which hereafter ſhall uſe to ſell or put to ſale any long bow or bows of yew, ſhall ſell any of the ſame bows to any of the King's liege people above the price of iii. ſhillings iiii. d. a bow. And long bows of yew under the value of the ſame price as the ſeller and buyer thereof may reaſonably agree and accord, upon pain to forfeit for every long bow of yew otherwiſe ſold above the ſaid price of iii. s. iiii. d. xx. s. The one half thereof to our ſovereign lord the King, and the other half to any of his liege people that will therefore purſue and prove the ſaid forfeiture by action or actions of debt, wherein like proceſs judgment and execution ſhall be had as is commonly uſed in actions of debt ſued at the common law. And that no defendant in any ſuch action or actions ſhall be admitted to wage his law.

CAP. V.

Concerning the fulling of hats and caps.

ITEM, it was ſhewed in the ſaid parliament, how that hats, bonnets, and caps as well ſingle as double, were wont to be faithfully made, wrought, fulled and thicked by men's ſtrength, that is to ſay, with hands and feet, and thereby the makers of the ſame have honeſtly before this time gained their living, and kept many apprentices, ſervants and good houſes, till now of late that by ſubtle imagination, to the deſtruction of the labours and ſuſtenance of many men, ſuch hats, bonnets, and caps have been fulled and thicked in fulling mills, and in the ſaid mills the ſaid hats and caps be broken and deceitfully wrought, and in no wiſe by the mean of any mill may be faithfully made, to the great damage of our ſovereign lord the King and of all his ſubjects, and the final undoing of ſuch which be the makers of ſuch hats, bonnets, and caps, unleſs the grace of our ſovereign lord the King ſhould be to them ſhewed in this behalf, and thereupon to provide remedy: our ſaid ſovereign lord the King, by the aſſent of the lords ſpiritual and temporal, and at the ſupplication of his ſaid commons in the ſaid parliament aſſembled and by the authority of the ſame hath ordained and provided, That no manner perſon after the feaſt of *Eaſter* next coming, ſhall full or thick, or do to be fulled or thicked any hats, bonnets, or caps, double or ſingle, in any fulling mill, or by the mean of any fulling mill, upon pain to forfeit and to loſe xl. s. as often as he ſhall do contrary to this act. And alſo that no perſon hat-maker, capper, or other whatſoever he be, after the ſaid feaſt of *Eaſter*, ſhall ſet or cauſe to be ſet any hats bonnets or caps double or ſingle to be fulled or thicked, to any ſuch mill or by the mean of any ſuch mill, or ſet to ſale any ſuch hats, bonnets, or caps double or ſingle, which after the ſaid feaſt ſhall be ſo made, fulled or thicked, upon pain to forfeit and loſe the hats, bonnets, and caps ſo ſet as afore is ſaid to any ſuch mill to be fulled or thicked, or otherwiſe ſet to be ſold contrary to this act, and alſo to forfeit and loſe xl. s. as often as any ſuch perſon ſhall ſet to fulling or thicking or to ſale any

No perſon ſhall full or thick any hats, bonnets, or caps, at any fulling mill, or ſet to ſale any ſo fulled, upon pain to forfeit forty ſhillings. Rep. 1 Jac. 1. c. 25. 7 Ed. 6. c. 8.

any ſuch hats, bonnets, and caps contrary to this act: the one half of the ſaid fines forfeitures and penalties and of every of them, to our ſovereign lord the King, and the other half to him or them of the King's ſubjects, which ſhall ſeiſe the ſame or purſue for the ſame by action of debt, by writ at the common law, or by bill or plaint after the cuſtom of the city or town where any ſuch fines forfeitures or penalties ſhall happen to fall or to be. And that the defendant in any ſuch action be not admitted to do or wage his law, nor no protection nor eſſoin in the King's ſervice ſhall be for any ſuch defendant allowed. This act to indure from the ſaid feaſt of *Eaſter* till the end of two years then next following, and no longer.

CAP. VI.

An act concerning ſwans.

How much land he muſt have which ſhall have a mark or game of ſwans.

ITEM, *Where as well our ſaid ſovereign lord the King, as other lords, knights, eſquires, and other noble men of this noble realm of* England, *have been heretofore greatly ſtored of marks and games of ſwans in divers parts of this realm of* England, *until of late that divers keepers of ſwans have bought and made to them marks and games in the fens and marſhes, and other places, and under colour of the ſame, and of ſurveying and ſearch for ſwans and cygnets for their lords and maſters, have ſtolen cygnets, and put upon them their own mark, by which unlawful means the ſubſtance of the ſwans be in the hands and poſſeſſion of yeomen and husbandmen, and other perſons of little reputation*; (2) wherefore it is ordained, eſtabliſhed, and enacted by our ſaid ſovereign lord the King, with the aſſent of the lords ſpiritual and temporal, and at the ſpecial petition and requeſt of the commons, in the ſaid parliament aſſembled, and by authority of the ſaid parliament, That no perſon, of what eſtate, degree, or condition he be (other than the ſon of our ſovereign lord the King) from the feaſt of St. *Michael* next

ITEM, pur ceo qe ſibien noſtre dit ſoveraigne ſeignur le Roy come autres ſeignurs chivalers eſſquiers & autres nobles hommes de ceſt roialme dEngleterre per cy devaunt ount eſtez graundement repleniſhes des markes & games des cignes es diverſes parties de ceſt roialme dEngleterre, jeſquez ore tarde, qe diverſes gardeins des cignez ount achatez ou faitz as eux markes & games en les fennes & mariſhes & autres lieux, et deſouth colour dicelle, & de la ſurveiaunce & ſercheour pur le cignes & cignettez pur lour ſeignurs et maiſtres ont embleez cignettez & miſes ſur eux lour propre marke, qe per tielx diſloialx moiens la ſubſtaunce des cignes ſount en les mayns & poſſeſſion des vadlets & husbondmen & autres perſones de nient: pur ceo il eſt ordeignes eſtablies & enactes per noſtre dit ſoveraigne ſeignur le Roy, del aſſent de les ditz ſeignurs eſpirituelx & temporelx & a la eſpecial inſtaunce & requeſte de les communes en le dit parlement aſſembles, & per auctorite de meſme le parlement, qe null perſone, de quele eſtate degree

degree ou condition il ſoit, autre qe fitz a noſtre treſſoveraigne ſeignur le Roy, a la feſte deſeint Michell proſchein veignaunt aiet ou poſſede aſcun tiel marke ou game de ſon propre, ou aſcun autre a ſon oeps aiet ou poſſede aſcun tiel marke ou game, ſinoun il aiet terrez ou tenementz del eſtate de frank tenure al annuel value de v. marcs, ouſtre toutz les annuel chargez. Et ouſtre ceo qe cheſcune perſone ou perſones ore eient ou eiauntz aſcun tiel marke ou game vende ou done le meſme de ceux entre cy & la feſte de ſeint Michell proſcheinement veignaunt al oeps diceux as queux ils enſi ſerrount venduz ou donez. Et ſil aveigne aſcun perſone ou perſones nient eiaunt aſcune poſſeſſion de les terres & tenements a le annuel value avauntdit davoir enjoier ou aſcunement poſſeder, ou aſcune autre al uſe ou al oeps diceux ou aſcun de eux, davoir ou poſſeder, aſcun tiel marke ou games puis le dit feſte; qe lors il ſerra licette au aſcune des ſubgietz noſtre ſeignur le Roy, eiaunt terres t tenementz a la dit valuer, de ſeiſer les ditz cignettes ou cignes come forfaitz, dount le Roy avera lune moite, &celluy qi celles ſeiſera lautre moite.

next coming, ſhall have or poſſeſs any ſuch mark or game of his own, or any other to his uſe ſhall have or poſſeſs any ſuch mark or game, except he have lands and tenements of the eſtate of freehold to the yearly value of five marks above all yearly charges. (3) And moreover, That every perſon or perſons now having any ſuch mark or game, ſhall ſell or give the ſame betwixt this and the feaſt of St. *Michael* next coming, to the uſe of them to whom they ſhall be ſold or given; (4) and if it happen any perſon or perſons not having any poſſeſſion of lands or tenements to the ſaid yearly value, or any other to have or poſſeſs lands to his or their uſe, to have or poſſeſs any ſuch mark or game after the ſaid feaſt, that then it ſhall be lawful to any of the King's ſubjects, having lands or tenements to the ſaid value, to ſeiſe the ſaid ſwans as forfeit; whereof the King ſhall have one half, and he that ſhall ſeiſe the other half.

Any perſon having five marks of freehold may ſeiſe the ſwans forfeited.

CAP. VII.

An act for incloſing of woods in foreſts, chaſes, and purlieus.

ITEM, noſtre dit ſeignur le Roy, conſideraunt qe diverſes ſubgietz eiauntz bois creſſant en lour propre ſoile deinz la foreſte de Rokyngham, & autres foreſtez et chacez dedeinz ſon roialme dEngleterre ou purleuez dicels, qi ount coupez lour ditz bois, pur ceo qe meſmes les ſubgietz ne purroient avaunt ceſt temps copier nencloſer lour dit ſoile, pur ſaver

ITEM *our ſaid lord the King, conſidering that divers ſubjects having woods growing in their own ground within the foreſt of* Rokingham, *and other foreſts and chaſes within his realm of* England, *or purlieus of the ſame, which have cut their ſaid wood, becauſe the ſame ſubjects might not before time cut nor incloſe their ſaid ground, to ſave the young ſpring of their wood ſo cut, any* 4 Inſt. 304.

any longer time than for three years, (2) the ſame young ſpring hath been in times paſt, and daily is deſtroyed with beaſts and cattle of the ſame foreſt, chaſes, and purlieus, to the great hindrance, as well of his ſaid ſubjects, as of his deer, vert, and veniſon in their covert, and otherwiſe likely to be the deſtruction of the ſame foreſts, chaſes, and purlieus; (3) by the aſſent of the lords ſpiritual and temporal, and the commons, in the ſaid parliament aſſembled, and by the authority of the ſame, doth ordain, eſtabliſh, and enact, That if any of his ſubjects, having woods of his own growing in his own ground, within any foreſt, chaſe, or purlieu of the ſame, within this realm of *England*, from the firſt day of this parliament, ſhall cut, or cauſe to be cut the ſame wood, or part thereof, by licence of the King, or of his heirs, in his foreſts, chaſes, or purlieus, or without licence in the foreſt, chaſe, or purlieu of any other perſon, or make any ſale of the ſame wood; it ſhall be lawful to the ſame ſubjects, owners of the ſame ground whereupon the wood ſo cut did grow, and to other ſuch perſons to whom ſuch wood ſhall happen to be ſold, immediately after the wood ſo cut, to cope and incloſe the ſame ground with ſufficient hedges, able to keep out all manner of beaſts and cattle forth of the ſame ground, for the preſerving of their young ſpring; (4) and the ſame hedges ſo made, the ſaid ſubjects may keep them continually by the ſpace of ſeven years next after the ſame incloſing, and repair and ſuſtain the ſame as often as ſhall need within the ſame ſeven

8 Co. 137.

Woods felled in any foreſt, or purlieu, may be incloſed and kept ſeveral ſeven years. 35 H. 8. c. 17. 13 El. c. 25.

ver le germe de lour bois enſy coupez pluis longue que per trois ans; meſque le germe ad eſte en temps paſſe, & journelment eſt, deſtruitez oveſqe beſtes & chatelx meſme la foreſte, chacez, & purleuez, a graund damage, ſibien as les ditz ſubgiettes, come de ſon dere, vert & veneſon, en lour coverture & autrement, au veriſemblable deſtruction meſmes les foreſts, chacez, & purlieues; per aſſent des ditz ſeignurs eſpirituelx & temporelx & les communes en la dit parlement aſſemblez, & per auctorite dicellez, ordeigne enacte & eſtablie, qe ſi aſcune de ſes ſubgietz eiaunt bois de ſon propre creſſant en ſon propre ſoile deinz aſcun foreſte, chace, purlieu del meſme, dedeinz ſon roialme dEngleterre, a le primer jour del dit parlement, face couper, ou cauſe eſtre coupez, meſme le bois, ou parte dicelle, per la licence du Roy, ou de ſes heires, en ſes foreſtes, chaces, ou purlieux, ou ſaunz licence en la foreſte, chace ou purlieu, dautre perſone, ou face vend de meſme le bois, ſoit il licette as meſmez les ſubgietz, poſſeſſours meſme le ſoile ſur quoy le bois enſi coupe cruſt, & autres tielx perſonez come meſme le bois aviendra eſtre venduz, immediat puis le bois enſi coupez, a copier & encloiſer meſme le ſoile oveſqe ſufficeantz heies, ablez de excluder toutz maners beſtez & chatels hors meſme le ſoile, pur la ſalvation de lour germe, & meſmes les heiez enſi faitz les ditz ſubgietz puiſſent garder eux continuelment per leſpace de ſept ans proſcheins apres meſme lenclоſure, & repairer & ſuſteiner ſi ſovent come buſoignera

ſoignera dedeinz meſmes les ſept ans, ſauns ſuer daſcun autre licence de luy ou ſez heires, ou autres perſonez, ou aſcun de lour officers meſmes les foreſtez chacez ou purlieus.

ſeven years, whithout ſuing of any other licence of him, or of his heirs, or other perſons, or any of their officers of the ſame foreſt, chaſes, and purlieus.

CAP. VIII.

Merchandiſes carried into or fetched out of Scotland, *ſhall be firſt brought to* Berwick. *The freemen of* Berwick *ſhall have to ferm the fiſhing there.*

ITEM, Our ſaid ſovereign lord the King, for the ſurety of the town of *Berwick*, and the marches of the ſame, and to have the ſame town to be inhabited with great number of his faithful liege people, which would there abound and increaſe by the repair of merchants and merchandiſe, and exerciſe of the ſame, hath by the aſſent of the lords ſpiritual and temporal, and the commons in the ſaid parliament aſſembled, and by authority of the ſame parliament ordained, enacted and eſtabliſhed, That from the feaſt of the nativity of Saint *John Baptiſt* next coming, all merchants which ſhall carry or bring any merchandiſe out of *Scotland*, or the iſles of the ſame, into this realm of *England*, or into *Ireland*, or *Wales*, firſt ſhall bring the ſame merchandiſe to the ſaid town of *Berwick:* (2) and that none of the King's liege people, nor any other perſon under the King's obeyſance, ſhall buy any merchandiſe brought out of *Scotland*, and carry the ſame, or cauſe to be carried into this realm of *England*, or any other place under the King's obeyſance, but that the ſame merchandiſe be brought, ſold and cuſtomed at his ſaid town of *Berwick*, except to the city of *Carliſle*, and the ports or creeks pertaining to the weſt marches. (3) And that no manner merchant, denizen nor ſtranger, under the King's obeyſance, ſhall carry or convey to ſell any manner merchandiſe of *England*, *Ireland*, or *Wales*, into *Scotland*, or the iſles of the ſame, which be not under the King's obeyſance; (4) and that none under the King's ligeance and obeyſance, ſell any manner merchandiſe of *England*, *Ireland* or *Wales*, to any of the inhabitants of *Scotland*, or the iſles of the ſame, in any place within *England*, *Ireland* or *Wales*, ſaving only at the ſaid town of *Berwick* and *Carliſle* aforeſaid. (5) And that no merchandiſe ſhall be ſhipped in any creek or other place betwixt *Tinmouth* and the ſaid town of *Berwick*, but only in the port or haven of the ſaid town of *Berwick:* (6) and that no perſon or perſons ſaving the burgeſſes and freemen of the ſaid town of *Berwick*, ſhall cauſe any ſalmon to be ſold, which ſhall be taken in the water of *Tweed*. (7) And if any perſon or perſons offend, or do with any merchandiſe aforeſaid, contrary to any of the ſaid ordinances, the ſame perſon or perſons ſhall forfeit all the ſaid merchandiſe; (8) and that it ſhall be lawful to any of the King's liege ſubjects to ſeiſe all ſuch merchandiſe ſo forfeit, or elſe to purſue in his own name an ac-

Ex edit. Pult. Merchandiſes carried into, or brought out of Scotland or the iſles, ſhall be firſt brought to Berwick.

tion of debt againſt the ſame perſon or perſons which ſo ſhall forfeit, containing the ſum of the value of the ſaid goods: and in the ſame action to have like proceſs, judgment and execution, as is uſed in other actions of debt by the courſe of the King's laws: (9) and that in none of the ſame ſuits and actions any protection or eſſoin of the King's ſervice be allowed, nor any defendant admitted to do his law, (10) and our lord the King to have as well the one half of all ſuch merchandiſe forfeited and ſeiſed, as the one half of all ſuch ſums of money which ſhall be recovered by action in the form aforeſaid, to purſue for the value of any ſuch goods ſo forfeited: and the perſon or perſons which ſhall ſeiſe and purſue in the form aforeſaid, to have the other half of the ſame.

The merchants and freemen of Berwick ſhall have to ferm the waters royal, and fiſhings there.

II. And by the ſaid authority it is ordained and enacted, That the merchants and freemen of the ſaid town, may of the grace of our ſaid lord the King, have to ferm all the waters royal, and fiſhing places within the ſaid town of *Berwick* and ſeigniory of the ſame paying for the ſame as ſuch as any other perſon will do; (2) and that the ſame merchants and freemen, and every of them, may from henceforth have, occupy and enjoy to them, their heirs and ſucceſſors for ever all liberties, franchiſes and cuſtoms, which at any time before pertained to the ſaid town, (3) and that they may ſhip all manner goods and merchandiſes there, and carry them to what place or places, port or ports that they will, and there diſcharge, and the ſame recharge with corn or any other victual or merchandiſes, and bring the ſame to the ſaid town of *Berwick* for victualling thereof.

III. Provided always, That this act, nor any other act, made or to be made in the ſaid parliament, do not extend nor be prejudicial to *William* biſhop of *Durham*, nor to his ſucceſſors, in or for any manner thing pertaining, or in any wiſe belonging to him.

[1] Jac. 1. c. 28.

Thus end the Statutes made in the time of King *Edward* the Fourth.

END *of the Third* VOLUME.